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Email: mike.cooper@agri.idaho.gov

Dear Idaho Honey Producers

IMPORTANT INFORMATION FOR HONEY PRODUCERS

During the 2012 Idaho Legislature, legislation was passed to establish some guidelines that **prohibit the sale of adulterated honey** in Idaho. This legislation now requires that rules and regulations be drafted by the Idaho State Department of Agriculture in cooperation with the honey industry for presentation to the 2013 Legislature.

You can find a current draft of the rules and regulations posted to the Idaho State Department of Agriculture website at:

http://www.agri.idaho.gov/Categories/LawsRules/sub_rules/Rulemaking.php

A formal hearing on these rules will take place at the ISDA on Thursday, August 9 at 1:30 PM. The ISDA is located at 2270 Old Penitentiary Road, Boise, ID.

If you would like to participate in the discussions related to these proposed rules by phone, please contact our office in Meridian, and speak to Benjamin Kelly at 208-888-0988 or by email at benjamin@amgidaho.com so we can make the necessary arrangements for you to give input on the proposed rules.

Idaho Honey Industry Association
55 SW 5th Avenue, Suite 100
Meridian, ID 83642

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Michael E. Cooper
Idaho State Dept. of Agriculture
PO Box 790
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03. **Bees.** means honey-producing insects of the genus *Apis* and includes the adults, eggs, larvae, pupae or other immature stages thereof.

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04. **Comb.** means the wax like cellular structure that bees use for retaining their brood or as storage for pollen and honey.

05. **Crystallize.** means the spontaneous solidification of the natural glucose content from solution as the monohydrate.

06. **Floral source.** means the flower from which the bees gather nectar to make honey.

07. **Food.** has the definition provided in ORS 616.205(8).

08. **Food additive.** has the definition provided in ORS 616.205(9).

09. **Granulate.** means the initial formation of crystals in honey.

10. **Honey.** means the natural sweet substance produced by bees resulting from the harvest of plant nectar or plant secretions that has been collected and transformed by the deposition, dehydration, and storage in comb to ripen and mature.

11. **Pollen grain.** means the granular, dust-like microspores that bees gather from flowers. Pollen grains in suspension contribute to the lack of clarity in filtered style.

ODA

Standard of identity for honey

Honey will meet the following standards:

(1) Honey may not be heated or processed to such an extent that its essential composition is changed or its quality is impaired.

(2) Chemical or biochemical treatments may not be used to influence honey crystallizations.

(3) Honey may not contain more than 21 percent moisture content.

(a) Water may not be added to honey in the course of extraction or packing for sale or resale as honey.

(b) Heather honey may contain up to 23 percent moisture content.

(4) Honey may not be less than 60g/100g fructose and glucose, combined; the ratio of fructose to glucose will be

greater than 0.9.

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(5) Honey will not exceed five (5) percent sucrose except for honey from the nectar of the plants.

(a) alfalfa (*Medicago sativa*); citrus spp; false acacia (*Robinia pseudoacacia*); french honeysuckle (*Hedysarum*); menzies banksias (*Banksia menziesii*); red gum (*Eucalyptus camaldulensis*); leatherwood (*Eucalyptus lucida*); and eucryphia milligani which may contain up to 10 percent sucrose; or

(b) lavender (*Lavandula* spp) and borage (*Borago officinalis*) which may contain up to 15 percent sucrose.

(6) Honey may not contain food additives.

(7) Extracted honey may not contain more than .05g/1000g water insoluble solids.

Stat. Auth.: ORS 561.190, ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Stats. Implemented: ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Hist.: AD 2011, f. 12-22-11, ef. 1/1/12

603-051-0370

Types and styles of honey

(1) "Extracted honey" is honey that has been separated from the comb by centrifugal force, gravity, straining, or other means, and is identified in the following types:

(a) "Liquid honey" is honey free from visible crystals;

(b) "Crystallized honey" is honey that is solidly granulated or crystallized, irrespective of whether candied, fondant, creamed or spread types of crystallized honey;

(c) "Partially crystallized honey" is honey that is a mixture of liquid honey and crystallized honey.

(2) Extracted honey styles are:

(a) "Filtered" honey is honey of any type defined in these standards having been filtered to the extent that all or most of the fine particles, pollen grains, air bubbles, or other materials normally found in suspension, have been removed; and

(b) "Strained" honey is honey of any type defined in these standards having been strained to the extent that most of the particles, including comb, propolis, or other defects normally found in honey, have been removed. Pollen grains, small air bubbles, and very fine particles would not normally be removed.

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(3) "Comb honey" is the type of honey stored by bees in the cells of freshly built broodless combs and is sold in sealed whole combs or sections of such combs.

(4) "Chunk honey" is the type of honey whereby comb honey is surrounded by extracted honey.

Stat. Auth.: ORS 561.190, ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Stats. Implemented: ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Hist.: AD 152, f. 11-12-43, ef. 1-29-44; AD 2011 f. 1-22-11, ef. 1-1-12

603-051-0375

Grades

The United States Standards for Grades of Extracted Honey adopted by the Agriculture Marketing Service, United States Department of Agriculture effective May 23, 1985 are hereby adopted as the standards for the State of Oregon for extracted honey grades. A copy of such federal standards is filed herewith and by this reference made a part hereof.

Stat. Auth.: ORS 531.190, ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Stats. Implemented: ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Hist.: AD 152, f. 11-12-43, ef. 1-29-44; AD 2011, f. 1-22-11, ef. 1-1-12

603-051-0380

[Repealed]

603-051-0385

Florida

Standard of Identity – Honey.

(1) This standard applies to all honey produced by honey bees from nectar and covers all styles of honey presentation that are processed and ultimately intended for direct consumption and to all honey packed, processed or intended for sale in bulk containers as honey, that may be repacked for retail sale or for sale or use as an ingredient in other foods.

(2) "Honey" means the natural food product resulting from the harvest of nectar by honeybees and the natural activities of the honeybees in processing nectar. It consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The color of honey can vary from nearly colorless to dark brown. The consistency can be fluid, viscous or partially to completely crystallized. The flavor and aroma vary, but are derived from the plant's origin.

(3) Honey sold as such shall not have added to it any food additives, as defined in Section 500.03(1)(m), F.S., nor shall any other additions be made other than honey. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter. Chemical or biochemical treatments shall not be used to influence honey crystallization.

(a) Moisture Content – No water may be added to honey in the course of extraction or packing for sale or resale as honey. Honey shall not have a moisture content exceeding 23%.

(b) Sugars Content.

1. The ratio of fructose to glucose shall be greater than 0.9.
2. Fructose and Glucose (Sum of Both) shall not be less than 60g/100g.

(c) Sucrose Content.

1. Honey not listed below shall not be more than 5g/100g.
2. Alfalfa (*Medicago sativa*), Citrus spp., False Acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies Banksia (*Banksia menziesii*), Red Gum (*Eucalyptus camaldulensis*), Leatherwood (*Eucryphia lucida*), Eucryphia milligani – not more than 10g/100g.
3. Lavender (*Lavandula spp*) and Borage (*Borago officinalis*) – not more than 15g/100g.

(4) Name of the Food.

(a) Products conforming to the standard of identity as adopted in this rule shall be designated "honey". Foods containing honey and any flavoring, spice or other added ingredient or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, color, viscosity or other material characteristics of pure honey, then such foods shall be distinguished in the food name from honey by declaration of the food additive or modification.

(b) Honey may be designated according to floral or plant source if it comes predominately from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

(c) Where honey has been designated according to floral or plant source [as stated in paragraph (4)(b)], then the common name or the botanical name of the floral source shall be used in conjunction with or joined with the word "honey".

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(d) The styles of honey identified in subparagraphs (4)(e)2. and 3. shall be declared on packaging labeling as "Comb Honey", "Cut Comb in Honey", "Honey with Comb" or "Chunk Honey" as appropriate.

(e) Honey may be designated according to the following styles:

1. "Honey" which is honey in liquid or crystalline state or a mixture of the two;
2. "Comb Honey" which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;
3. "Cut Comb in Honey", "Honey with Comb" or "Chunk Honey" which is honey containing one or more pieces of comb honey.



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22-2801. SHORT TITLE. This act may be known as the Honey Industry Act.

History:

[22-2801, added 1949, ch. 147, sec. 1, p. 301.]

[How current is this law?](#)

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22-2802. DECLARATION OF POLICY AND PURPOSE OF CHAPTER. It is hereby declared, as a matter of legislative determination, that the honey industry of Idaho is in dire need of concentrated state and national advertising and promotion to increase the consumption of honey; that other states are promulgating advertising and promotion campaigns for the betterment of the honey industry; that honey is an essential food and its use should be placed in name and fact before the people of America; that in the interest of public welfare and general prosperity of the people of the state of Idaho, the honey industry and beekeeping in general should be maintained and encouraged so that the many food values and quality of honey and the many pollinating values of the domesticated honey bees may be better understood, protected and greater use thereof made.

History:

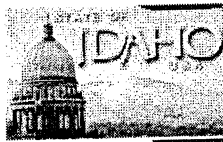
[22-2802, added 1949, ch. 147, sec. 2, p. 301; am. 2012, ch. 123, sec. 1, p. 342.]

How current is this law?

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22-2803. DEFINITIONS. Whenever used or referred to in this chapter, unless a different meaning clearly appears from the context:

- (1) "Commission" means the Idaho honey advertising commission.
- (2) "Honey producer" or "beekeeper" means a person, firm or corporation engaged in the art of raising, harboring, keeping or breeding domesticated honey bees either for the purpose of gathering honey or the production of queens and/or packaged bees.
- (3) "Honey by-products" means items using honey as a base such as creamed honey, whipped honey, or the like.
- (4) "Packer" means any honey producer or beekeeper or person who processes and packs honey for commercial retail sales.
- (5) "Person" includes an individual, partnership, corporation, firm, association and agent.
- (6) "Director" means the director of the Idaho state department of agriculture or his designated representative.
- (7) "Official sample" means a sample of honey taken by the director or an authorized agent in accordance with the provisions of section 22-2810, Idaho Code.

History:

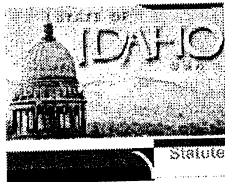
[22-2803, added 1949, ch. 147, sec. 3, p. 301; am. 2012, ch. 123, sec. 2, p. 342.]

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22-2804. COMMISSION, MEMBERS, APPOINTMENT AND COMPENSATION. There is hereby created and established in the department of agriculture an Idaho honey advertising commission to be known and designated as such, and shall be composed of the director of the department and three (3) members, who shall be practical honey producers or beekeepers, appointed by the governor, at the recommendation of a representative group of beekeepers of the state of Idaho. Each member so appointed shall be a resident citizen of the state of Idaho and from the district from which appointed, for a period of five (5) years prior to his appointment, and shall have had active experience in raising honey bees and each member shall have derived the major portion of his income from the production and sale of honey. One (1) member shall be chosen from the district north of the Salmon River; one (1) from the district south of the Salmon River and west of a north-south line bisecting the city of Shoshone and extending from the south boundary of the state of Idaho to the Salmon River; one (1) from the district south of the Salmon River and east of a north-south line bisecting the city of Shoshone and extending from the south boundary of the state of Idaho to the Salmon River. Commission members shall be appointed and serve for a term of three (3) years and until their respective successors are appointed and qualified. The commission shall elect its chairman.

The chairman of the commission may delegate the function of the honey advertising commission to an executive secretary whose function will be subject to the approval of the honey advertising commission. The executive secretary must be a member of the Idaho honey industry association, inc., or its successor organization but need not be a member of the honey advertising commission.

A majority of the members of said commission shall constitute a quorum for the transaction of all business and the carrying out of the duties of said commission. Before entering on the discharge of their duties as members of said commission, each member shall take and subscribe to the oath of office prescribed by the statutes of Idaho.

Each member of the commission shall be compensated as provided by section ~~22-2803~~(d), Idaho Code. The commission shall meet regularly once each fiscal year at a date established by said commission in its designated business office, and it shall fix the time and place of special meetings as may be deemed necessary by the chairman of the commission.

History:

[22-2804, added 1949, ch. 147, sec. 4, p. 301; am. 1974, ch. 13, sec. 5, p. 138; am. 1974, ch. 142, sec. 1, p. 1356; am. 1980, ch. 247, sec. 11, p. 590; am. 1990, ch. 414, sec. 3, p. 1150.]

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22-2805. POWER TO CONTRACT. The said commission shall have power to contract and be contracted with.

History:

[22-2805, added 1949, ch. 147, sec. 5, p. 301.]

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22-2806. ADMINISTRATION, WHERE VESTED. The administration of this act shall be vested in the Idaho honey advertising commission which shall administer the taxes levied and imposed by this act.

History:

[22-2806, added 1949, ch. 147, sec. 6, p. 301.]

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22-2807. DUTIES. The commission shall set honey quality, identity and labeling standards by rule, plan and conduct a campaign for honey and honey by-product advertising, publicity, merchandising, sales promotion and research, including bee research, and public education of beekeeping and honey production, by contracting with a service of the hereinabove mentioned, or jointly with any university or other state agency or states of the United States and its territories, or individually.

History:

[22-2807, added 1949, ch. 147, sec. 7, p. 301; am. 2006, ch. 87, sec. 1, p. 257; am. 2012, ch. 123, sec. 3, p. 343.]

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22-2808. RULES, STANDARDS, DEFINITIONS. The commission is hereby charged with the enforcement of this chapter, and after due publicity and due public hearing is empowered to promulgate and adopt such reasonable rules as may be necessary to carry into effect the full intent and meaning of this chapter, including the establishment of fees for services. The commission is hereby empowered to adopt rules establishing definitions for honey including establishing standards of identity, quality and labeling and such other rules as may be necessary for the enforcement of any provision of this chapter. In establishing standards of identity, quality and labeling the commission shall give consideration to any definitions and standards used by a federal agency, another state or an organization administering a regional, multi-regional, national or international agreement on honey.

History:

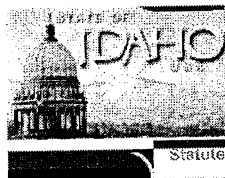
[22-2808, added 2012, ch. 123, sec. 4, p. 343.]

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22-2809. LEVY AND COLLECTION OF TAXES -- CHANGE OF TAX BY REFERENDUM -- VIOLATIONS -- PENALTY. (a) There is hereby levied and imposed upon each colony or hive of bees within the state of Idaho on July 1 of each year a continuing annual tax of five cents (5¢) per hive or colony of bees beginning in the year 1970 for the purpose of carrying out the provisions of this chapter. Hobbyist beekeepers, as defined in [chapter 25, title 22](#), Idaho Code, are exempt from taxation under this section. Provided however, that any hobbyist beekeeper who desires to support the efforts of the commission, as set forth in section [22-2507](#), Idaho Code, and desires to be included in registration lists distributed as authorized under section [22-2815](#), Idaho Code, may register with the commission for that purpose by remitting an annual registration fee of ten dollars (\$10.00).

(b) The tax may be decreased to not less than three cents (3¢) per hive or colony per year or it may be increased to not more than ten cents (10¢) per hive or colony per year, if approved by a majority of the beekeepers voting in a referendum held for the purpose of determining whether such levy of the tax shall or shall not be changed. If the levy of the tax is changed, the levy of the tax will continue annually at the changed rate until again changed by another referendum. Any resident of Idaho who is a registered Idaho beekeeper with the department of agriculture may vote at such referendum. Any referendum held for the purpose of changing the levy of such tax shall be held at the annual meeting of the Idaho honey industry association or any successor organization to this group.

(c) Notice of the tax provided for in this section shall be mailed no later than June 1 and the tax shall be due and payable on or before July 1 of each year, and it shall be collected by the Idaho department of agriculture and shall forthwith be paid over by the Idaho department of agriculture to the Idaho honey advertising fund.

(d) Said tax shall be a lien upon all apicultural products, equipment, bees and property of the person owning or controlling such bees and shall be prior to all other liens or encumbrances except liens which are declared prior by operation of the statutes of this state.

History:

[(22-2809) 22-2808, added 1970, ch. 46, sec. 1, p. 95; am. 1991, ch. 225, sec. 1, p. 537; am. 2006, ch. 87, sec. 2, p. 257; am. and redesign. 2012, ch. 123, sec. 5, p. 343.]

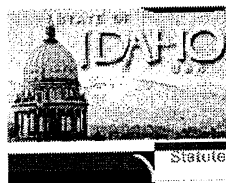
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22-2810. SAMPLING AND ANALYSIS. (1) For the purpose of enforcement of this chapter, and in order to determine whether its provisions have been complied with, including whether or not any operations may be subject to such provisions, officers or employees duly designated by the director or commission upon presenting appropriate credentials, to the owner, operator, or agent in charge, are authorized upon written complaint:

(a) To enter, during normal business hours, any factory, warehouse, or establishment within the state in which honey is processed, packed, or held for distribution for retail sales, or to enter any vehicle being used to transport or hold such honey, and sample such honey that is packaged and labeled for retail sale.

(b) To inspect at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment or vehicle and all pertinent equipment, finished and unfinished materials, containers, and labeling therein, related to retail sales. The inspection may include the verification of only such records, and production and control procedures as may be necessary to determine compliance with the good manufacturing practice rules established under the provisions of this chapter. Each inspection shall be commenced and completed with reasonable promptness. Upon completion of the inspection, the person in charge of the facility or vehicle shall be so notified.

(2) Sampling and analysis shall be conducted in accordance with methods prescribed in rules, or in accordance with other generally recognized methods.

(3) The director or commission, in determining for administrative purposes whether a honey is adulterated, shall be guided by the official sample as defined in subsection (7) of section 22-2803, Idaho Code, and obtained and analyzed as provided for in this section.

(4) If the owner of any factory, warehouse, or establishment described in subsection (1) of this section, or authorized agent, refuses to admit the director, commission or an authorized agent to inspect in accordance with subsections (1) and (5) of this section, the director or commission is authorized to obtain from any state court of competent jurisdiction a warrant directing such owner or agent to submit the premises described in such warrant to inspection.

(5) For the enforcement of this chapter, the director, commission or a duly authorized agent is authorized to enter upon any public or private premises including any vehicle of transport during regular business hours to have access to, and to obtain samples, and to examine and make copies of records relating to distribution of honey packaged and labeled for retail sale to the public.

(6) The results of all analyses of official samples shall be forwarded by the director or commission to the packer and to the purchaser or retailer. When the inspection and analysis of an official sample indicate the honey has been adulterated or mislabeled, and upon request by the packer or purchaser or retailer within thirty (30) days following the receipt of the analysis, the director or commission shall furnish to the packer or purchaser or retailer a portion of the sample concerned.

History:

[22-2810, added 2012, ch. 123, sec. 6, p. 344.]

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TITLE 22 AGRICULTURE AND HORTICULTURE

CHAPTER 28 HONEY INDUSTRY

22-2811. PENALTIES FOR VIOLATIONS. (1) Any person who violates any provision of this chapter, or of the rules promulgated hereunder for carrying out the provisions of this chapter, or who fails or refuses to comply with any requirements herein specified, or who interferes with the department, its agents or employees, in the execution, or on account of the execution of its or their duties under this chapter or rules promulgated hereunder, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than three thousand dollars (\$3,000) or be imprisoned in a county jail for not more than twelve (12) months or be subject to both such fine and imprisonment.

(2) Any person who violates or fails to comply with any of the provisions of this chapter or any rules promulgated hereunder may be assessed a civil penalty by the department or its duly authorized agent of not more than ten thousand dollars (\$10,000) for each offense and shall be liable for reasonable attorney's fees.

(a) Assessment of a civil penalty may be made in conjunction with any other department administrative action.

(b) No civil penalty may be assessed unless the person charged was given notice and opportunity for a hearing pursuant to the Idaho administrative procedure act.

(c) If the department is unable to collect such penalty or if any person fails to pay all or a set portion of the civil penalty as determined by the department, it may recover such amount by action in the appropriate district court.

(d) Any person against whom the department has assessed a civil penalty under the provisions of this section may, within thirty (30) days of the final action by the agency making the assessment, appeal the assessment to the district court of the county in which the violation is alleged by the department to have occurred.

(e) All civil penalties collected pursuant to this section shall be remitted to the commission.

(3) Nothing in this chapter shall be construed as requiring the commission to report minor violations for prosecution when it believes that the public interest will be best served by suitable warnings or other administrative action.

History:

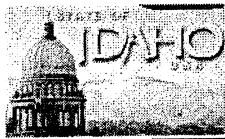
[22-2811, added 2012, ch. 123, sec. 7, p. 345.]

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TITLE 22 AGRICULTURE AND HORTICULTURE

CHAPTER 28 HONEY INDUSTRY

22-2812. "STOP SALE, USE, OR REMOVAL" ORDERS. (1) In the event the department finds that honey is being offered for sale in violation of this chapter or rules promulgated under this chapter, the department may issue and enforce a written or printed "stop sale, use, or removal" order to the distributor, owner or custodian of the honey and hold the honey, or order it held, at a designated place until the law has been complied with and the honey is released in writing by the department, or the violation has been otherwise legally disposed of by written authority. Unless the department grants a written extension, the owner or custodian of any honey that has been issued a "stop sale, use, or removal" order shall remedy the violation within thirty (30) days. The department shall release the honey so withdrawn when the requirements of this chapter have been complied with and all costs and expenses incurred in connection with the withdrawal have been paid.

(2) Any lot of honey not in compliance with the provisions of this chapter, or rules promulgated under this chapter, shall be subject to seizure on complaint of the commission to a court of competent jurisdiction in the area in which said honey is located. In the event the court finds the said honey to be in violation of the provisions of this chapter and orders the condemnation of said honey, it shall be disposed of in any manner consistent with the quality of the honey and the laws of the state. Provided however, that in no instance shall the disposition of said honey be ordered by the court without first giving the claimant an opportunity to apply to the court for release of said honey or for permission to process or relabel said honey to bring it into compliance with the provisions of this chapter.

History:

[22-2812, added 2012, ch. 123, sec. 8, p. 346.]

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22-2813. PAYMENT OF EXPENSES AND COSTS. All expenses and costs incurred in the administration of this chapter shall be paid out of the Idaho honey advertising fund. The commission shall keep an accurate record of all costs and expenditures and will report the same by publication on October 1st of each year. All expenses and costs incurred and contracted for by the commission in performing its duties under this chapter shall be paid out of such Idaho honey advertising fund in the following manner: vouchers shall be approved and submitted by the commission chairman to the director or his designated representative of the Idaho state department of agriculture for approval and subsequent issuance of a warrant by the state controller.

History:

History:
 [(22-2813) 22-2809, added 1951, ch. 62, sec. 2, p. 91; am. 1974, ch. 13, sec. 6, p. 138; am. 1994, ch. 180, sec. 20, p. 435; am. 2003, ch. 32, sec. 6, p. 120; am. and redesisg. 2012, ch. 123, sec. 9, p. 346.]

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CHAPTER 28 HONEY INDUSTRY

22-2814. CREDITING OF FUNDS. All moneys which have heretofore been credited to the general fund under the provisions of this chapter are hereby transferred to the Idaho honey advertising fund.

History:

[(22-2814) 22-2810, added 1951, ch. 62, sec. 3, p. 91; am. and redesign. 2012, ch. 123, sec. 10, p. 346.]

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TITLE 22 AGRICULTURE AND HORTICULTURE

CHAPTER 28 HONEY INDUSTRY

22-2815. PUBLICATION OF REGISTERED BEEKEEPERS. The commission shall make available to any pesticide applicator registered with the department, abatement or pest control district, or university of Idaho county agricultural extension office, a list of beekeepers registered with the commission. The list shall include the names and telephone numbers of the beekeepers, the counties in which they keep bees, and any other information the commission deems necessary to assist in the prevention of accidental poisoning of honeybees.

History:

[(22-2815) 22-2811, added 2006, ch. 87, sec. 3, p. 258; am. 2007, ch. 188, sec. 14, p. 554; am. and redessig. 2012, ch. 123, sec. 11, p. 346.]

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Agriculture

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Service

Fruit and
Vegetable
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Processed
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Branch

United States Standards **COPY** for Grades of Extracted Honey

Effective date May 23, 1985

This is the fifth issue, as amended, of the United States Standards for Grades of ~~Textured~~ Honey published in the **FEDERAL REGISTER** of April 23, 1985 (50 FR 15861) to become effective May 23, 1985. This issue supersedes the fourth issue, which has been in effect since April 16, 1951.

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Voluntary U.S. grade standards are issued under the authority of the Agricultural Marketing Act of 1946, which provides for the development of official U.S. grades to designate different levels of quality. These grade standards are available for use by producers, suppliers, buyers and consumers. As in the case of other standards for grades of processed fruits and vegetables, these standards are designed to facilitate orderly marketing by providing a convenient basis for buying and selling, for establishing quality control programs, and for determining loan values.

The standards also serve as a basis for the inspection and grading of commodities by the Federal inspection service, the only activity authorized to approve the designation of U.S. grades as referenced in the standards, as provided under the Agricultural Marketing Act of 1946. This service, available as on-line (in-plant) or lot inspection and grading of all processed fruit and vegetable products, is offered to interested parties, upon application, on a fee-for-service basis. The verification of some specific recommendations, requirements, or tolerances contained in the standards can be accomplished only by the use of on-line inspection procedures. In all instances, a grade can be assigned based on final product factors or characteristics.

In addition to the U.S. grade standards, grading manuals or instructions for inspection of several processed fruits and vegetables are available upon request for a nominal fee. These manuals or instructions contain detailed interpretations of the grade standards and provide step-by-step procedures for grading the product.

Grade standards are issued by the Department after careful consideration of all data and views submitted, and the Department welcomes suggestions which might aid in improving the standards in future revisions. Comments may be submitted to, and copies of standards and grading manuals obtained from:

Chief, Processed Products Branch
Fruit and Vegetable Division, AMS
U.S. Department of Agriculture
P.O. Box 96456, Rm. 0709, So. Bldg.
Washington, D.C. 20090-6456

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Authority: Agricultural Marketing Act of 1946, Secs. 203, 205, 60 Stat. 1087, as amended, 1090, as amended (7 U.S.C. 1622, 1624).

Note: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or with applicable State laws and regulations.

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§52.1391 Product description

Extracted honey (hereinafter referred to as honey) is honey that has been separated from the comb by centrifugal force, gravity, straining, or by other means.

§52.1392 Types.

The type of extracted honey is not incorporated in the grades of the finished product since the type of extracted honey, as such, is dependent upon the method of preparation and processing, and therefore is not a factor of quality for the purpose of these grades. Extracted honey may be prepared and processed as on of the following types:

- (a) **Liquid honey.** Liquid honey is honey that is free from visible crystals.
- (b) **Crystallized honey.** Crystallized honey is honey that is solidly granulated or crystallized, irrespective of whether candied, fondant, creamed or spread types of crystallized honey.
- (c) **Partially crystallized honey.** Partially crystallized honey is honey that is a mixture of liquid honey and crystallized honey.

§52.1393 Styles.

- (a) **Filtered.** Filtered honey is honey of any type defined in these standards that has been filtered to the extent that all or most of the fine particles, pollen grains, air bubbles, or other materials normally found in suspension, have been removed.
- (b) **Strained.** Strained honey is honey of any type defined in these standards that has been strained to the extent that most of the particles, including comb, propolis, or other defects normally found in honey, have been removed. Grains of pollen, small air bubbles, and very fine particles would not normally be removed.

§52.1394 Definitions of terms.

As used in these U.S. standards, unless otherwise required by the context, the following terms shall be construed, respectively, to mean:

- (a) **Absence of defects** means the degree of freedom from particles of comb, propolis, or other defects which may be in suspension or deposited as sediment in the honey. Classifications for the factor of quality, absence of defects, are:

- (1) **Practically free** - the honey contains practically no defects that affect the appearance or edibility of the product.
 - (2) **Reasonably free** - the honey may contain defects which do not materially affect the appearance or edibility of the product.
 - (3) **Fairly free** - the honey may contain defects which do not seriously affect the appearance or edibility of the product.
- (b) **Air bubbles** mean small visible pockets of air in suspension that may be numerous in the honey and contribute to the lack of clarity in filtered style.
- (c) **Aroma** means the fragrance or odor of the honey.
- (d) **Clarity** means, with respect to filtered style only, the apparent transparency or clearness of honey to the eye and to the degree of freedom from air bubbles, pollen grains, or other fine particles of any material suspended in the product. Classifications for the factor of quality, clarity, are:
- (1) **Clear** - the honey may contain air bubbles which do not materially affect the appearance of the product and may contain a trace of pollen grains or other finely divided particles of suspended material which do not affect the appearance of the product.
 - (2) **Reasonably Clear** - the honey may contain air bubbles, pollen grains, or other finely divided particles of suspended material which do not materially affect the appearance of the product.
 - (3) **Fairly Clear** - the honey may contain air bubbles, pollen grains, or other finely divided particles of suspended material which do not seriously affect the appearance of the product.
- (e) **Comb** means the wax like cellular structure that bees use for retaining their brood or as storage for pollen and honey. Fine particles of comb in suspension are defects and contribute to the lack of clarity in filtered style.
- (f) **Crystallization** means honey in which crystals have been formed.
- (g) **Flavor and aroma** means the degree of taste excellence and aroma for the predominant floral source. Classifications for the factor of quality, flavor and aroma, are:

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- (1) **Good Flavor and aroma for the predominant floral source** - the product has a good, normal flavor and aroma for the predominant floral source or, when blended, a good flavor for the blend of floral sources and the honey is free from caramelized flavor or objectionable flavor caused by fermentation, smoke, chemicals, or other causes with the exception of the predominant floral source.
 - (2) **Reasonably good flavor and aroma for the predominant floral source** - the product has a reasonably good, normal flavor and aroma for the predominant floral source or, when blended, a reasonably good flavor for the blend of floral sources and the honey is practically free from caramelized flavor and is free from objectionable flavor caused by fermentation, smoke, chemicals, or other causes with the exception of the predominant floral source.
 - (3) **Fairly good flavor and aroma for the predominant floral source** - the product has a fairly good, normal flavor and aroma for the predominant floral source or, when blended, a fairly good flavor for the blend of floral sources and the honey is reasonably free from caramelized flavor and is free from objectionable flavor caused by fermentation, smoke, chemicals, or other causes with the exception of the predominant floral source.
- (h) **Floral source** means the flower from which the bees gather nectar to make honey.
- (i) **Granulation** means the initial formation of crystals in the honey.
- (j) **Pfund color grader** means a color grading device used by the honey industry. It is not the officially approved device for determining color designation when applying these United States grade standards for the color of honey.
- (k) **Pollen grains** mean the granular, dustlike microspores that bees gather from flowers. Pollen grains in suspension contribute to the lack of clarity in filtered style.
- (l) **Propolis** means a gum that is gathered by bees from various plants. It may vary in color from light yellow to dark brown. It may cause staining of the comb or frame and may be found in extracted honey.

§52.1395 Recommended sample unit sizes.

- (a) **Determination of color designation** - the amount of product required to adequately fill a color comparator cell of any approved device used for the determination of honey color.
- (b) **Factors of quality and analysis** - 100 g (3.5 oz).

§52.1396 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container be filled with honey as full as practicable, and with respect to containers of one gallon or less, the honey shall occupy not less than 95 percent of the total capacity of the container.

§52.1397 Color.

The color of extracted honey is not a factor of quality for the purpose of these grades.

§52.1398 Color designations.

- (a) **The color designation of extracted honey** is determined (after adjusting for cloudiness in the honey) by means of the USDA approved color standards in accordance with the range as given in Table I.
- (b) **The respective color designations**, applicable range of each color, color range on the Pfund scale, and optical density of freshly prepared caramel - glycerin solutions are shown in Table I.

TABLE I - COLOR DESIGNATIONS OF EXTRACTED HONEY

USDA Color Standards Designations	Color Range USDA Color Standards	Color Range Pfund Scales Millimeters	Optical Density 1/
Water White	Honey that is Water White or lighter in color.	8 or less	0.0945
Extra White	Honey that is darker than Water White, but not darker than Extra White in color.	Over 8 to and including 17.	.189
White	Honey that is darker than Extra White, but not darker than White in color.	Over 17 to and including 34.	.378
Extra Light Amber	Honey that is darker than White, but not darker than Extra light Amber in color.	Over 34 to and including 50.	.595
Light Amber	Honey that is darker than Extra Light Amber, but not darker than light Amber in color.	Over 50 to and including 85.	1.389
Amber	Honey that is darker than light Amber, but not darker than Amber in color.	Over 85 to and including 114.	3.008
Dark Amber	Honey that is darker than Amber in color.	Over 114

1/ Optical Density (absorbance) = \log_{10} (100/percent transmittance), at 560 nm for 3.15 cm thickness for caramel - glycerin solutions measured versus an equal cell containing glycerin.

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§52.1399 Tolerance for the designation of color of officially drawn samples

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When designating the color of samples that have been officially drawn and which represent a specific lot of honey, the lot shall be considered as one color if the number of containers with honey comprised of a darker color does not exceed the applicable acceptance number indicated in the sampling plans contained in 7 CFR 52.38 of the **Regulations Governing Inspection and Certification of Processed Fruits and Vegetable, Processed Products Thereof, and Certain Other Processed Food Products**: Provided, however, that the honey in none of the containers falls below the next darker color designation. Applicable sampling plans and acceptance numbers are shown in Table II.

TABLE II - SINGLE SAMPLING PLANS AND ACCEPTANCE NUMBERS

Sample Size (number of sample units)	3	6	13	21	29
Acceptance No.	0	1	2	3	4

§52.1400 Grades.

- (a) **U.S. Grade A** is the quality of extracted honey that meets the applicable requirements of Table IV or V, and has a minimum total score of 90 points.
- (b) **U.S. Grade B** is the quality of extracted honey that meets the applicable requirements of Table IV or V, and has a minimum total score of 80 points.
- (c) **U.S. Grade C** is the quality of extracted honey that meets the applicable requirements of Table IV or V, and has a minimum total score of 70 points.
- (d) **Substandard** is the quality of extracted honey that fails to meet the requirements of U.S. Grade C.

§52.1401 Determining the grade.

Determining the grade from the factors of quality and analysis.

- (a) **For the factor of analysis, the soluble solids content of extracted honey is determined by** means of the refractometer at 20° C (68° F). The refractive indices, corresponding percent soluble solids, and percent moisture are shown in Table III. The moisture content of honey and percent soluble solids may be determined by any other method which gives equivalent results.

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- (b) **For the factors of quality, the grade of extracted honey is determined by considering, in conjunction with the requirements of the various grades, the respective ratings for the factors of flavor and aroma, absence of defects, and clarity (except the factor of clarity is excluded for the style of strained).**
- (c) **The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:**

Factors	Points
Flavor and aroma	50
Absence of defects	40
Clarity	<u>10</u>
Total Score	100

- (d) **The factor of clarity for the style of strained extracted honey is not based on any detailed requirements and is not scored. The other two factors (flavor and absence of defects) are scored and the total is multiplied by 100 and divided by 90, dropping any fractions to determine the total score.**
- (e) **Crystallized honey and partially crystallized honey shall be liquified by heating to approximately 54.4°C (130°F) and cooled to approximately 20°C (68°F) before determining the grade of the product.**

§52.1402 Determining the rating for each factor.

The essential variations within each factor are so described that the value may be determined for each factor and expressed numerically. The numerical range for the rating of each factor is inclusive (for example, **37 to 40 points** means 37, 38, 39 or 40 points) and the score points shall be prorated relative to the degree of excellence for each factor.

§52.1403 Requirements for grades.

Table III - Refractive Indices, Corresponding Percent Soluble Solids, and Percent Moisture in Extracted Honey ^{1/}

Refractive Index @ 20°C (Range)	Percent Soluble Solids	Percent Moisture	Refractive Index @ 20°C (Range)	Percent Soluble Solids	Percent Moisture
1.4817 - 1.4818	78.1	21.9	1.4930 - 1.4932	82.6	17.4
1.4819 - 1.4820	78.2	21.8	1.4933 - 1.4934	82.7	17.3
1.4821 - 1.4823	78.3	21.7	1.4935 - 1.4936	82.8	17.2
1.4824 - 1.4825	78.4	21.6	1.4937 - 1.4939	82.9	17.1
1.4826 - 1.4828	78.5	21.5	1.4940 - 1.4941	83.0	17.0
1.4829 - 1.4830	78.6	21.4	1.4942 - 1.4944	83.1	16.9
1.4831 - 1.4833	78.7	21.3	1.4945 - 1.4946	83.2	16.8
1.4834 - 1.4835	78.8	21.2	1.4947 - 1.4949	83.3	16.7
1.4836 - 1.4838	78.9	21.1	1.4950 - 1.4951	83.4	16.6
1.4839 - 1.4840	79.0	21.0	1.4952 - 1.4954	83.5	16.5
1.4841 - 1.4843	79.1	20.9	1.4955 - 1.4957	83.6	16.4
1.4844 - 1.4845	79.2	20.8	1.4958 - 1.4959	83.7	16.3
1.4846 - 1.4848	79.3	20.7	1.4960 - 1.4962	83.8	16.2
1.4849 - 1.4850	79.4	20.6	1.4963 - 1.4964	83.9	16.1
1.4851 - 1.4853	79.5	20.5	1.4965 - 1.4967	84.0	16.0
1.4854 - 1.4855	79.6	20.4	1.4968 - 1.4969	84.1	15.9
1.4856 - 1.4858	79.7	20.3	1.4970 - 1.4972	84.2	15.8
1.4859 - 1.4860	79.8	20.2	1.4973 - 1.4975	84.3	15.7
1.4861 - 1.4863	79.9	20.1	1.4976 - 1.4977	84.4	15.6
1.4864 - 1.4865	80.0	20.0	1.4978 - 1.4980	84.5	15.5
1.4866 - 1.4868	80.1	19.9	1.4981 - 1.4982	84.6	15.4
1.4869 - 1.4870	80.2	19.8	1.4983 - 1.4984	84.7	15.3
1.4871 - 1.4873	80.3	19.7	1.4985 - 1.4987	84.8	15.2
1.4874 - 1.4875	80.4	19.6	1.4988 - 1.4990	84.9	15.1
1.4876 - 1.4878	80.5	19.5	1.4991 - 1.4993	85.0	15.0
1.4879 - 1.4880	80.6	19.4	1.4994 - 1.4995	85.1	14.9
1.4881 - 1.4883	80.7	19.3	1.4996 - 1.4998	85.2	14.8
1.4884 - 1.4885	80.8	19.2	1.4999 - 1.5000	85.3	14.7
1.4886 - 1.4888	80.9	19.1	1.5001 - 1.5003	85.4	14.6
1.4889 - 1.4890	81.0	19.0	1.5004 - 1.5005	85.5	14.5
1.4891 - 1.4893	81.1	18.9	1.5006 - 1.5008	85.6	14.4
1.4894 - 1.4896	81.2	18.8	1.5009 - 1.5011	85.7	14.3
1.4897 - 1.4898	81.3	18.7	1.5012 - 1.5013	85.8	14.2
1.4899 - 1.4901	81.4	18.6	1.5014 - 1.5016	85.9	14.1
1.4902 - 1.4903	81.5	18.5	1.5017 - 1.5018	86.0	14.0
1.4904 - 1.4906	81.6	18.4	1.5019 - 1.5021	86.1	13.9
1.4907 - 1.4908	81.7	18.3	1.5022 - 1.5024	86.2	13.8
1.4909 - 1.4911	81.8	18.2	1.5025 - 1.5026	86.3	13.7
1.4912 - 1.4913	81.9	18.1	1.5027 - 1.5029	86.4	13.6
1.4914 - 1.4916	82.0	18.0	1.5030 - 1.5031	86.5	13.5
1.4917 - 1.4918	82.1	17.9	1.5032 - 1.5034	86.6	13.4
1.4919 - 1.4921	82.2	17.8	1.5035 - 1.5037	86.7	13.3
1.4922 - 1.4923	82.3	17.7	1.5038 - 1.5039	86.8	13.2
1.4924 - 1.4926	82.4	17.6	1.5040 - 1.5042	86.9	13.1
1.4927 - 1.4929	82.5	17.5	1.5043 - 1.5044	87.0	13.0

^{1/} Temperature corrections: If refractometer reading is made at temperature above 20° C (68° F) add 0.00023 to the refractive index for each degree C, or 0.00013 for each degree F. If made below 20° C (68° F), subtract correction. The moisture content of honey and equivalent values may be determined by any other method which gives equivalent results.

TABLE IV - FILTERED STYLE

Analytical	Factors	Grade A	Grade B	Grade C	Substandard
	Percent Soluble Solids (Minimum)	81.4	81.4	80.0	Fails Grade C.
Q u a l i t y	Absence of Defects	Practically free- practically none that affect appearance or edibility.	Reasonably Free- do not materially affect the appearance or edibility.	Fairly free - do not seriously affect the appearance or edibility.	Fails Grade C.
	Score Points	37 - 40	34 - 36 <u>1/</u>	31 - 33 <u>1/</u>	0 - 30 <u>1/</u>
	Flavor & Aroma	Good - free from caramelization, smoke, fermentation, chemicals, and other causes.	Reasonably good- practically free from caramelization; free from smoke, fermentation, chemicals, and other causes.	Fairly good - reasonably free from caramelization; free from smoke, fermentation, chemicals, and other causes.	Poor - Fails Grade C.
	Score Points	45 - 50	40 - 44 <u>1/</u>	35 - 39 <u>1/</u>	0 - 34 <u>1/</u>
	Clarity	Clear - may contain air bubbles that do not materially affect the appearance; may contain a trace of pollen grains or other finely divided particles in suspension that do not affect appearance.	Reasonably clear - may contain air bubbles, pollen grains, or other finely divided particles in suspension that do not materially affect the appearance.	Fairly clear- may contain air bubbles, pollen grains, or other finely divided particles in suspension that do not seriously affect the appearance.	Fails Grade C.
	Score Points	8 - 10	6 - 7	4 - 5 <u>1/</u>	0 - 3 <u>2/</u>

COPY

1/

Limiting rule - sample units with score points that fall in this range shall not be graded above the respective regardless of the total score.

2/

Partial limiting rule - sample units with score points that fall in this range shall not be graded above U.S. Grade C regardless of the total score.

Table V - Strained Style

Analytical	Factors	Grade A	Grade B	Grade C	Substandard
	Percent Soluble Solids (Minimum)	81.4	81.4	80.0	Fails Grade C.
Q u a l i t y	Absence of Defects	Practically free- practically none that affect appearance or edibility.	Reasonably Free- do not materially affect the appearance or edibility.	Fairly free - do not seriously affect the appearance or edibility.	Fails Grade C.
	Score Points	37 - 40	34 - 36 <u>1/</u>	31 - 33 <u>1/</u>	0 - 30 <u>1/</u>
	Flavor & Aroma	Good - free from caramelization, smoke, fermentation, chemicals, and other causes.	Reasonably good- practically free from caramelization; free from smoke, fermentation, chemicals, and other causes.	Fairly good - reasonably free from caramelization; free from smoke, fermentation, chemicals, and other causes.	Poor - Fails Grade C.
	Score Points	45 - 50	40 - 44 <u>1/</u>	35 - 39 <u>1/</u>	0 - 34 <u>1/</u>

1/ Limiting rule - sample units with score points that fall in this range shall not be graded above the respective grade regardless of the total score.

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§52.1404 Sample size.

The sample size to determine meeting the requirements of these standards shall be as specified in the **Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products** (7 CFR 52.1 - 52.83) for lot grading and on-line grading, as applicable.

§52.1405 Determining the grade of a lot.

A lot of extracted honey is considered as meeting the requirements for quality and analysis if:

- (a) The requirements specified in Table IV and V, as applicable, are met; and
- (b) The requirements for the procedures set forth in the **Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products** (7 CFR 52.1 - 52.83) are met.

Done at Washington, D.C. on: April 16, 1985

/s/ _____

William T. Manley
Deputy Administrator
Marketing Programs



COPY

TO: Roundtable Participants

FROM: Sioux Honey Association

DATE: June 1, 2012

RE: Revised Standard of Identity for Honey (5-16-12)

As a follow up to the May 16, 2012 Roundtable held in Las Vegas, Nevada, we have attached the revised Standard of Identity for review with the agreed upon changes. The proposed changes are tracked in a redline format.

Page 15 – #3.1. Essential Composition and Quality Factors.

Remove the wording “nor shall any other additions be made other than honey” and “no constituent particular to honey may be removed or changed”.

Page 15 and 16 – 3.1.1. a. b.c. Styles of Honey.

Recommend the addition of the language for “filtered and strained” as defined from the U.S.D.A. Grade Standards for “Styles of Honey” (a. & b.). Please review “c.” for the Unfiltered/Unstrained definition.

Page 16 – 3.2. Add “filtered to less than 1.0 Microns and remove the remaining part of the sentence.

Page 16 – 3.3. Add “in the packaging or processing of honey” and remove the remaining part of the sentence.

Page 17 and 18 – 6 Labeling.

This entire section has been removed.

Also attached is a copy of the definitions for the “Styles” from the U.S.D.A. Grade Standards and the information on “Diatomaceous Earth (filter aid)” from the U.S. Food & Drug Administration website as Generally Recognized as Safe.

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301 Lewis Blvd. • Sioux City, Iowa 51101

Business Phone: 712-258-0638 • Main Fax: 712-258-7092 • Sales Fax: 712-258-1332 • www.suebee.com

STANDARD FOR HONEY

CODEX STAN I2-1981, Rev. 1 (1987), Rev. 2 (2001)

~~The Annex to this Standard is intended for voluntary application by commercial partners and for application by Governments.~~

COPY

1. SCOPE

~~Part One of this~~ This Standard applies to all honeys produced by honey bees and covers all styles of honey presentations which are processed and ultimately intended for direct consumption and to all honeys packed, processed or intended for sale in bulk containers as honey, which may be repacked for retail sale, or for sale or use as an ingredient in other foods. ~~Part Two cover honey for industrial uses or as an ingredient in other foods.~~

~~1.2 Parts Two of this Standard also covers honey which is packed for sale in bulk containers, which may be re-packed into retail packs.~~

Part One

2. DESCRIPTION

2.1 DEFINITION

Honey is the natural sweet substance produced by honey bees from the nectar of plants or from secretions of living parts of plants or excretions of plant sucking insects on the living parts of plants, which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in the honey comb to ripen and mature.

2.1.1 Blossom Honey or Nectar Honey is the honey which comes from nectars of plants.

2.1.2 Honeydew Honey is the honey which comes mainly from excretions of plant sucking insects (Hemiptera) on the living parts of plants or secretions of living parts of plants.

2.2 DESCRIPTION

Honey consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids and enzymes derived from honey collection. The colour of honey varies from nearly colour-less to dark brown: The consistency can be fluid, viscous or partly to entirely crystallised. The flavour and aroma vary, but are derived from the plant origin.

3. ESSENTIAL COMPOSITION AND QUALITY FACTORS

3.1 Honey sold as such shall not have added to it any food ingredient, including food additives, ~~nor shall any other additions be made other than honey.~~ Honey shall not have any objectionable matter, flavour, aroma, or taint absorbed from foreign matter during its processing and storage. ~~No constituent particular to honey may be removed or changed.~~

3.1.1 Styles of Honey:

a. Filtered-Filtered honey is honey of any type defined in the United States Standards for Grades of Extracted Honey that has been filtered to the extent that all or most of the fine particles, pollen grains, air bubbles, or other materials normally found in suspension, have been removed.

b. Strained-Strained honey is honey of any type defined in the United States Standards for Grades of extracted Honey that has been strained to the extent that most of the particles, including comb, propolis, or other defects normally found in honey, have been removed. Grains of pollen, small air bubbles, and very fine particles would not normally be removed.

c. Unfiltered/Unstrained-Unfiltered/Unstrained honey is honey that has not been filtered or strained by United States Standards for Grades of Extracted Honey and may include extracted or non-extracted honey.

3.2 Honey shall not be filtered to less than 1.0 Microns, heated or processed to such an extent that its essential composition is changed

and/or its quality is impaired.

3.3 Chemical or biochemical treatments shall not be used in the packaging or processing of honey, to make Grade A Honey crystallisation.

COPY

3.4 MOISTURE CONTENT

(a) ~~Honeys not listed below not more than 20%.~~

(b) ~~Heather Honey (Calluna) not more than 23%.~~

Honey shall not have a moisture content exceeding 23%.

3.5 SUGARS CONTENT

3.5.1 FRUCTOSE AND GLUCOSE CONTENT (SUM OF BOTH)

(a) Honey not listed below - not less than 60 g/100g

(b) Honeydew honey,

blends of honeydew honey with blossom honey - not less than 45 g/100g

3.5.2 SUCROSE CONTENT

(a) Honey not listed below - not more than 5 g/100g

(b) Alfalfa (*Medicago sativa*), Citrus spp., False Acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies ! Banksia (*Banksia menziesii*), Red Gum (*Eucalyptus camaldulensis*), Leatherwood (*Eucryphia lucida*), *Eucryphia milligani* - not more than 10 g/100g

(c) Lavender (*Lavandula* spp), Borage (*Borago officinalis*) - not more than 15 g/100g

3.6 WATER INSOLUBLE SOLIDS CONTENT

(a) Honeys other than pressed honey - not more than 0.1 g/100g

(b) Pressed honey - not more than 0.5 g/100g

4. CONTAMINATES

4.0 HEAVY METALS

Honey shall be free from heavy metals in amounts which may represent a hazard to human health.

The products covered by this Standard shall comply with those maximum levels for heavy metals established by the Codex Alimentarius Commission.

4.2 RESIDUES OF PESTICIDES AND VETERINARY DRUGS

The products covered by this standard shall comply with those relevant maximum residue limits for honey established by the Codex Alimentarius Commission.

5. HYGIENE

5.1 It is recommended that the products covered by the provisions of this standard be prepared and handled in accordance with the appropriate sections of the Recommended International Code of Practice—General Principles of Food Hygiene recommended by the Codex Alimentarius Commission (CAC/RCP 1 1969, Rev 3 1997), and other relevant Codex texts such as Codes of Hygiene Practice and Codes of Practice.

5.2 The products should comply with any microbiological criteria established in accordance with the Principles for the Establishment and Application of Microbiological Criteria for Foods (CAC/GL 21 1997).

COPY

6. LABELLING

In addition to the provisions of the General Standard for the Labeling of Pre-packaged Foods (CODEX STAN 1 1985, Rev 2 1999) the following specific provisions apply:

6.1 THE NAME OF THE FOOD

6.1.1 Products conforming to Part One of the Standard shall be designated 'honey'. ~~[Foods containing honey and any flavoring, spice or other added ingredient or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, texture, color, viscosity, and other material characteristics of pure honey, such foods shall be distinguished in the food name from honey by declaration of the ingredient or modification.]~~

6.1.2 For products described in 2.1.1 the name of the food may be supplemented by the term "blossom" or "nectar".

6.1.3 For products described in 2.1.2 the word "honeydew" may be placed in close proximity, to the name of the food.

6.1.4 For mixtures of the products described in 2.1.1 and 2.1.2 the name of the food may be supplemented with the words "a blend of honeydew honey with blossom honey".

6.1.5 Honey may be designated by the name of the geographical or topographical region if the honey was produced exclusively within the area referred to in the designation.

6.1.6 Honey may be designated according to floral or plant source if it comes wholly or mainly from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

6.1.7 Where honey has been designated according to floral or plant source (6.1.6) then the common name or the botanical name of the floral source shall be in close proximity to the word "honey".

6.1.8 Where honey has been designated according to floral, plant source, or by the name of a geographical or topological region, then the name of the country where the honey has been produced shall be declared.

6.1.9 The subsidiary designations listed in 6.1.10 may not be used unless the honey conforms to the appropriate description contained therein. The styles in 6.1.11 (b) and (c) shall be declared.

6.1.10 Honey may be designated according to the method of removal from the comb.

(a) Extracted Honey is honey obtained by centrifuging decapped broodless combs.

(b) Pressed Honey is honey obtained by pressing broodless combs.

(c) Drained Honey is honey obtained by draining decapped broodless combs.

6.1.11 Honey may be designated according to the following styles:

(a) Honey which is honey in liquid or crystalline state or a mixture of the two;

(b) Comb Honey which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;

(c) Cut comb in honey, [honey with comb] or chunk honey which is honey containing one or more pieces of comb honey.

6.1.12 Honey which has been filtered in such a way as to result in the significant removal of pollen shall be designated filtered honey.

6.2 LABELLING OF NON RETAIL CONTAINERS

6.2.1 Information on labeling as specified in The General Standard for the Labeling of Prepackaged Foods and in Section 6.1 shall be given either on the container or in accompanying documents, except that the name of the product, lot identification and the name and address of the producer, processor or packer shall appear on the container.

7. METHODS OF SAMPLING AND ANALYSIS

The methods of sampling and analysis to be employed for the determination of the compositional and quality factors are detailed below:

7.1 SAMPLE PREPARATION

Samples should be prepared in accordance with AOAC 920.180.

7.2 DETERMINATION OF MOISTURE CONTENT

AOAC 969.38B / // Assoc. Public Analysts (1992) 28 (4) 183 187 / MAFF Validated method V21 for moisture in honey.

7.3 DETERMINATION OF SUGARS CONTENT

7.3.1 FRUCTOSE AND GLUCOSE CONTENT (SUM OF BOTH)

COPY

~~Determination of sugars by HPLC — Harmonised Methods of the European Honey Commission,
Apidologic — Special Issue 28, 1997, Chapter 1.7.2~~

~~7.3.2 SUCROSE CONTENT~~

~~Determination of sugars by HPLC — Harmonised Methods of the European Honey Commission,
Apidologic — Special Issue 28, 1997, Chapter 1.7.2~~

~~7.4 DETERMINATION OF WATER INSOLUBLE SOLIDS CONTENT~~

~~J. Assoc. Public Analysis (1992) 28 (4) 189-193 /MAFF Validated method V22 for water insoluble
solids in honey.~~

~~7.5 DETERMINATION OF ELECTRICAL CONDUCTIVITY~~

~~Determination of electrical conductivity by HPLC — Harmonised Methods of the European Honey Commission,
Apidologic — Special Issue 28, 1997, Chapter 1.2~~

~~7.6 DETERMINATION OF SUGARS ADDED TO HONEY (AUTHENTICITY)~~

~~AOAC 977.20 for sugar profile, AOAC 991.41 internal standard for SCIRA (stable carbon isotope
ratio analysis).~~

~~Annex- Deleted in its entirety~~

COPY

COPY

The Annex to this Standard is intended for voluntary application by commercial partners and not for application by Governments.

1. SCOPE

1.1 Part One of this Standard applies to all honeys produced by honey bees and covers all styles of honey presentations which are processed, and ultimately intended for direct consumption. Part Two covers honey for industrial uses or as an ingredient in other foods.

1.2 Parts Two of this Standard also covers honey which is packed for sale in bulk containers, which may be repacked into retail packs.

PART ONE

2. DESCRIPTION

2.1 DEFINITION

Honey is the natural sweet substance produced by honey bees, from the nectar of plants or from secretions of living parts of plants or excretions of plant sucking insects on the living parts of plants, which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in the honey comb to ripen and mature.

2.1.1 Blossom Honey or Nectar Honey is the honey which comes from nectars of plants.

2.1.2 Honeydew Honey is the honey which comes mainly from excretions of plant sucking insects (*Hemiptera*) on the living parts of plants or secretions of living parts of plants.

2.2 DESCRIPTION

Honey consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The colour of honey varies from nearly colourless to dark brown. The consistency can be fluid, viscous or partly to entirely crystallised. The flavour and aroma vary, but are derived from the plant origin.

3. ESSENTIAL COMPOSITION AND QUALITY FACTORS

3.1 Honey sold as such shall not have added to it any food ingredient, including food additives, nor shall any other additions be made other than honey. Honey shall not have any objectionable matter, flavour, aroma, or taint absorbed from foreign matter during its processing and storage. The honey shall not have begun to ferment or effervesce. No pollen or constituent particular to honey may be removed except where this is unavoidable in the removal of foreign inorganic or organic matter.

3.2 Honey shall not be heated or processed to such an extent that its essential composition is changed and/ or its quality is impaired

3.3 Chemical or biochemical treatments shall not be used to influence honey crystallisation.

¹ Secretariat Note: The Revised Codex Standard for Honey was adopted by the 24th Session of the Codex Alimentarius Commission in 2001. At the time of the adoption the Commission agreed that further work would be undertaken on certain technical issues, particularly the provisions concerning Moisture Content.

CODEX STAN 12-1981

3.4 MOISTURE CONTENT

- (a) Honey not listed below - not more than 20%
 (b) Heather honey (*Calluna*) - not more than 23%

3.5 SUGARS CONTENT

3.5.1 FRUCTOSE AND GLUCOSE CONTENT (SUM OF BOTH)

- (a) Honey not listed below - not less than 60 g/100g
 (b) Honeydew honey, - not less than 45 g/100g
 blends of honeydew honey with blossom honey

3.5.2 SUCROSE CONTENT

- (a) Honey not listed below - not more than 5 g/100g
 (b) Alfalfa (*Medicago sativa*), Citrus spp., False
 Acacia (*Robinia pseudoacacia*), French
 Honeysuckle (*Hedysarum*), Menzies Banksia
 (*Banksia menziesii*), Red Gum (*Eucalyptus*
camalculensis), Leatherwood (*Eucryphia*
lucida), *Eucryphia milligani*
 (c) Lavender (*Lavandula spp.*), Borage (*Borago*
officinalis) - not more than 15 g/100g

3.6 WATER INSOLUBLE SOLIDS CONTENT

- (a) Honey other than pressed honey - not more than 0.1 g/100g
 (b) Pressed honey - not more than 0.5 g/100g

4. CONTAMINANTS

4.1 HEAVY METALS²

Honey shall be free from heavy metals in amounts which may represent a hazard to human health. The products covered by this Standard shall comply with those maximum levels for heavy metals established by the Codex Alimentarius Commission.

4.2 RESIDUES OF PESTICIDES AND VETERINARY DRUGS

The products covered by this standard shall comply with those maximum residue limits for honey established by the Codex Alimentarius Commission.

5. HYGIENE

5.1 It is recommended that the products covered by the provisions of this standard be prepared and handled in accordance with the appropriate sections of the Recommended International Code of Practice - General Principles of Food Hygiene recommended by the Codex Alimentarius Commission (CAC/RCP 1-1969, Rev 3-1997), and other relevant Codex texts such as Codes of Hygienic Practice and Codes of Practice.

5.2 The products should comply with any microbiological criteria established in accordance with the Principles for the Establishment and Application of Microbiological Criteria for Foods (CAC/GL 21-1997).

² These levels will be established in consultation between the Codex Committee on Sugars and the Codex Committee on Food Additives and Contaminants as soon as possible.

COPY

CODEX STAN 12-1981

6. LABELLING

In addition to the provisions of the General Standard for the Labelling of Pre-packaged Foods [CODEX STAN 1-1985, Rev 2-1999], the following specific provisions apply:

COPY

6.1 THE NAME OF THE FOOD

6.1.1 Products conforming to Part One of the Standard shall be designated 'honey'.

6.1.2 For products described in 2.1.1 the name of the food may be supplemented by the term "blossom" or "nectar".

6.1.3 For products described in 2.1.2 the word "honeydew" may be placed in close proximity to the name of the food.

6.1.4 For mixtures of the products described in 2.1.1 and 2.1.2 the name of the food may be supplemented with the words "a blend of honeydew honey with blossom honey".

6.1.5 Honey may be designated by the name of the geographical or topographical region if the honey was produced exclusively within the area referred to in the designation.

6.1.6 Honey may be designated according to floral or plant source if it comes wholly or mainly from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

6.1.7 Where honey has been designated according to floral or plant source (6.1.6) then the common name or the botanical name of the floral source shall be in close proximity to the word "honey".

6.1.8 Where honey has been designated according to floral, plant source, or by the name of a geographical or topological region, then the name of the country where the honey has been produced shall be declared.

6.1.9 The subsidiary designations listed in 6.1.10 may not be used unless the honey conforms to the appropriate description contained therein. The styles in 6.1.11 (b) and (c) shall be declared.

6.1.10 Honey may be designated according to the method of removal from the comb.

(a) Extracted Honey is honey obtained by centrifuging decapped broodless combs.

(b) Pressed Honey is honey obtained by pressing broodless combs.

(c) Drained Honey is honey obtained by draining decapped broodless combs.

6.1.11 Honey may be designated according to the following styles:

(a) Honey which is honey in liquid or crystalline state or a mixture of the two;

(b) Comb Honey which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;

(c) Cut comb in honey or chunk honey which is honey containing one or more pieces of comb honey.

6.1.12 Honey which has been filtered in such a way as to result in the significant removal of pollen shall be designated filtered honey.

6.2 LABELLING OF NON-RETAIL CONTAINERS

6.2.1 Information on labelling as specified in The General Standard for the Labelling of Pre-packaged Foods and in Section 6.1 shall be given either on the container or in accompanying documents, except that the name of the product, lot identification and the name and address of the producer, processor or packer shall appear on the container.

CODEX STAN 12-1989

7. METHODS OF SAMPLING AND ANALYSIS

The methods of sampling and analysis to be employed for the determination of the compositional and quality factors are detailed below:

COPY**7.1 SAMPLE PREPARATION**

Samples should be prepared in accordance with AOAC 920.180.

7.2 DETERMINATION OF MOISTURE CONTENT³

AOAC 969.38B / J. Assoc. Public Analysts (1992) 28 (4) 183-187 / MAFF Validated method V21 for moisture in honey.

7.3 DETERMINATION OF SUGARS CONTENT⁴**7.3.1 FRUCTOSE AND GLUCOSE CONTENT (SUM OF BOTH)**

Determination of sugars by HPLC - Harmonised Methods of the European Honey Commission, Apidologie - Special Issue 28, 1997, Chapter 1.7.2

7.3.2 SUCROSE CONTENT

Determination of sugars by HPLC - Harmonised Methods of the European Honey Commission, Apidologie - Special Issue 28, 1997, Chapter 1.7.2

7.4 DETERMINATION OF WATER-INSOLUBLE SOLIDS CONTENT

J. Assoc. Public Analysts (1992) 28 (4) 189-193 / MAFF Validated method V22 for water insoluble solids in honey

7.5 DETERMINATION OF ELECTRICAL CONDUCTIVITY⁵

Determination of electrical conductivity - Harmonised Methods- of the European Honey Commission, Apidologie - Special Issue 28, 1997, Chapter 1.2

7.6 DETERMINATION OF SUGARS ADDED TO HONEY (AUTHENTICITY)⁶

AOAC 977.20 for sugar profile,

AOAC 991.41 internal standard for SCIRA (stable carbon isotope ratio analysis).³ These methods are identical

⁴ Subject to endorsement by CCMAS

⁵ Subject to endorsement by CCMAS

⁶ CCS noted that a screening method for the detection of cane sugar adulteration of honey was available.

ANNEX

This text is intended for voluntary application by commercial partners and not for application by governments.

COPY

1. ADDITIONAL COMPOSITION AND QUALITY FACTORS

Honey may have the following compositional and quality factors:

1.1 FREE ACIDITY

The free acidity of honey may be not more than 50 milliequivalents acid per 1000g.

1.2 DIASTASE ACTIVITY

The diastase activity of honey; determined after processing and/or blending, in general not less than 8 Schade units and in the case of honeys with a low natural enzyme content not less than 3 Schade Units.

1.3 HYDROXYMETHYLFURFURAL CONTENT

The hydroxymethylfurfural content of honey after processing and/or blending shall not be more than 40 mg/kg. However, in the case of honey of declared origin from countries or regions with tropical ambient temperatures, and blends of these honeys, the HMF content shall not be more than 80 mg/kg.

1.4 ELECTRICAL CONDUCTIVITY

(a) honey not listed under (b) or (c), and blends of these - not more than 0.8 mS/cm
honeys

(b) Honeydew and chestnut honey and blends of these - not less than 0.8 mS/cm
except with those listed under (c)

(c) Exceptions : Strawberry tree (*Arbutus unedo*), Bell Heather (*Erica*), Eucalyptus, Lime (*Tilia* spp), Ling Heather (*Calluna vulgaris*) Manuka, or Jelly bush (*Leptospermum*), Tea tree (*Melaleuca* spp).

2. METHODS OF SAMPLING AND ANALYSIS

The methods of sampling and analysis to be employed for the determination of the additional compositional and quality factors set out in Section 1 of this Annex are detailed below:

2.1 SAMPLE PREPARATION

The method of sample preparation is described in section 7.1 of the Standard. In the determination of diastase activity (2.2.2) and hydroxymethylfurfural content (2.2.3), samples are prepared without heating.

2.2 METHODS OF ANALYSIS

2.2.1 DETERMINATION OF ACIDITY

J. Assoc. Public Analysts {1992} 28 (4) 171-175 / MAFF validated method V19 for acidity in honey

2.2.2 DETERMINATION OF DIASTASE ACTIVITY

2.2.6,1 AOAC 958.09

or

Determination of diastase activity with Phadebas - Harmonised Methods of the European Honey Commission. *Apidologie* - Special Issue 28, 1997, Chapter 1.6.2

2.2.3 DETERMINATION OF HYDROXYMETHYLFURFURAL (HMF) CONTENT

AOAC 980.23

or

Determination of hydroxymethylfurfural by HPLC - Harmonised Methods of the European Honey Commission, *Apidologie* - Special Issue 28, 1997, Chapter 1.5.1

2.3 LITERATURE REFERENCES

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NOTE: CCS asked CCMAS to consider retaining only those essential references

COPY

PART TWO

[Honey for Industrial Uses or as an Ingredient in other Foods]

This part is subject to further consideration:

COPY

U.S. Food & Drug Administration

COPY

Database of Select Committee on GRAS Substances (SCOGS) Reviews

FDA Home¹ GRAS Substances (SCOGS) Database² Database of Select Committee on GRAS Substances (SCOGS) Reviews SCOGS Detail**Diatomaceous earth (filter aid)**[Return to Listing³](#)

Report No.: 61

Type of Conclusion: 1

ID Code: 61790-53-2

Year: 1979

CFR Section: There is no CFR citation.

SCOGS Opinion:

Silicon dioxide and various silicates occur abundantly in the earth's crust, are present in practically all natural waters, animals, and plants, and are part of the normal human diet. The question of whether or not silicon is an essential human nutrient remains unresolved. Silicon compounds consumed as added food ingredients contribute only a minor proportion of the total dietary silicon intake. The estimated possible human intake of sodium aluminosilicate, the predominant silicate added to foods in this country, is approximately 0.3mg per kg body weight per day. Silicon compounds that are GRAS for use as direct food ingredient, except potassium and sodium silicates, are insoluble or very slightly soluble in water and appear to be biologically inert. The water-soluble silicates are also of low acute toxicity. The acute oral LD50 in rats of sodium aluminosilicate is >1g per kg. No significant tissue accumulation, pathology, or toxicity has been reported from the ingestion of those insoluble or very slightly soluble GRAS silicon compounds for which data are available. Of the five substances that were reported as added to foods in the NRC survey, biologic effects and safety data are available for all except sodium calcium aluminosilicate, and there is no reason to suspect that the toxicity of the latter would differ from those for which there are data. The results of two studies (1967-1970) in which various silicon compounds were fed to laboratory animals for 1 mo at a level of 0.8g per kg body weight (as silicon dioxide) and for 3 mo at levels of 6 to 30 mg per kg body weight suggests there may be a species-related susceptibility to renal damage from ingestion of sodium silicate, magnesium trisilicate, and finely ground quartz. No substantiating reports of these effects have appeared. Magnesium trisilicate was recognized as safe for prolonged use in human ingestion in large amount as a component of antacid preparations by the Advisory Review Panel on Over-the-Counter Drugs, and the available evidence on the acute toxicity of sodium silicate indicates that it is low. Consumption data are lacking for aluminium calcium silicate and tricalcium silicate, two compounds that are listed as GRAS for use as anticaking agents. However, their use in keeping with good manufacturing practice and in currently regulated amounts would be of the same order of magnitude as the other GRAS silicates. In addition, the Select Committee has limited information on the amounts of talc that are currently used in foods. However a major food use of talc is in the coating of rice. Assuming package label statements are ignored and coated rice is not washed prior to cooking and no other losses occur, maximum per capita intake of talc from this source appears to be 0.5g per day. With respect to paper and cotton food- packaging products, the possibility is remote that biologically significant amounts of talc, diatomaceous earth, or sodium silicate migrate to food from packaging, materials containing these substances. Perlite, a naturally occurring polysilicate substance, has an oral LD50 in the rat of >10g per kg body weight. Estimates of the maximum quantities of minerals that might be extracted from perlite and diatomaceous earth used as filteraids in food processing indicates no hazard to public health. There are no food grade specifications for aluminum calcium silicate, sodium calcium aluminosilicate, and talc. Such specifications for the substances used in foods are desirable. Specification for food grade talc should limit the content of asbestos fibers even though the potential hazard of ingested asbestos fibers even though the potential hazard of ingested asbestos is not clearly established. The Food and Drug Administration is sponsoring the development of an assay method for asbestos fibers. An upper limit for cadmium should be added to the specifications for food-grade perlite, and consideration should be given to the need for limitation of cadmium content of other silicates. In the light of all of the foregoing, the Select Committee concludes that: It is essential to establish food-grade specifications for aluminum calcium silicate, sodium calcium aluminosilicate, and talc, with provision for an upper limit of asbestos fibers in talc. There is no evidence in the available information on aluminum calcium silicate, calcium silicate, magnesium silicate, potassium silicate, sodium silicate, sodium aluminosilicate, sodium calcium aluminosilicate, tricalcium silicate, silica aerogel, and talc that demonstrates or suggests reasonable grounds to suspect a hazard to the public when they are used at levels that are now current or that might reasonably be expected in the future. There is no evidence in the available information on diatomaceous earth, silicon dioxides, sodium silicate, and talc that demonstrates or suggests reasonable grounds to suspect a hazard to the public when they are used as ingredients of paper and paperboard products used in food packaging in accordance with current practice. There is no evidence in the available information on sodium silicate and talc that demonstrates or suggests reasonable grounds to suspect a hazard to the public when they are used as ingredients of cotton and cotton fabrics used in dry food packaging in accordance with current practice. There is no evidence in the available information on diatomaceous earth and perlite that demonstrates or suggests reasonable ground to suspect a hazard to the public when they are used as filteraids in food processing at levels that are now current or that might reasonably be expected in the future.

Links on this page:

1. <http://www.addthis.com/bookmark.php?u508=true&v=152&username=fdamain>

§52.1391 Product description

Extracted honey (hereinafter referred to as honey) is honey that has been separated from the comb by centrifugal force, gravity, straining, or by other means.

§52.1392 Types.

The type of extracted honey is not incorporated in the grades of the finished product since the type of extracted honey, as such, is dependent upon the method of preparation and processing, and therefore is not a factor of quality for the purpose of these grades. Extracted honey may be prepared and processed as on of the following types:

- (a) **Liquid honey.** Liquid honey is honey that is free from visible crystals.
- (b) **Crystallized honey.** Crystallized honey is honey that is solidly granulated or crystallized, irrespective of whether candied, fondant, creamed or spread types of crystallized honey.
- (c) **Partially crystallized honey.** Partially crystallized honey is honey that is a mixture of liquid honey and crystallized honey.

§52.1393 Styles.

- (a) **Filtered.** Filtered honey is honey of any type defined in these standards that has been filtered to the extent that all or most of the fine particles, pollen grains, air bubbles, or other materials normally found in suspension, have been removed.
- (b) **Strained.** Strained honey is honey of any type defined in these standards that has been strained to the extent that most of the particles, including comb, propolis, or other defects normally found in honey, have been removed. Grains of pollen, small air bubbles, and very fine particles would not normally be removed.

§52.1394 Definitions of terms.

As used in these U.S. standards, unless otherwise required by the context, the following terms shall be construed, respectively, to mean:

- (a) **Absence of defects** means the degree of freedom from particles of comb, propolis, or other defects which may be in suspension or deposited as sediment in the honey. Classifications for the factor of quality, absence of defects, are:

From: Nancy Gentry <[REDACTED]>

To: noyesbeehoney <[REDACTED]>

Subject: honey standard

Date: Fri, Jun 29, 2012 8:55 am

Attachments: 5K_4_Final_Version_Honey_Rule_3.doc.htm (85K), FDA_std_of_identity.pdf (3257K), ABJ_article_June_2012.pdf (597K), utah_standard_of_identity_for_honey.htm (19K), nebraska_honey_standard.pdf (46K), maryland_standard_final_version.pdf (200K), sioux_change_to_standard.pdf (11125K)

Dear Tony,

A real pleasure talking to you last night, and I applaud your efforts in getting a standard for Idaho. No standard in the nation has not been the result of hard work by the packers, but rather beekeepers who feel they can no longer sit on the sidelines waiting for conditions to improve, especially when it comes to waiting for federal action...

I have attached four state standards. Wisconsin is another state which you may be able to just google "Wisconsin honey standard" and get.

What you need to read in the FDA petition is the part that is titled "Dockets Management Branch". You have there the actual international standard that was used to create the "Revised Codex Standard Identity of Honey (with certain deviations)" which I call U.S. Codex. If you then drop down to item "III. Reasons for Deviations" you will see where they actually struck out or "deviated" from the international standard. They did strike a great many items, but the two clauses that are relevant to the packers wanting to just have essentially no standard at all is 3.1 (which they did retain) and 6.1.12 which they struck yet is a more accurate description of how packers actually process honey. Notice to that their justification for dropping 6.1.12 is very lame...

I have also attached the recommended standard of identity (SOI) that was the result of a five hour meeting in Vegas in May. If you compare the U.S. Codex (that is "Exhibit C, page 13-17) to the Sioux draft, you will see that what the packers did was essentially strike practically everything that might be grounds for a lawsuit, so what you are left with is a SOI that pretty much reads "honey comes from honey bees" which isn't much of a standard if at all...

So, you have some decisions to make regarding what you choose to put in your SOI. Please keep me informed as I would like to know just what your group decides to use in the standard...

Regards,
Nancy
[REDACTED]

5K-4.027 Standard of Identity - Honey

(1) This standard applies to all honey produced by honey bees from nectar and covers all styles of honey presentation that are processed and ultimately intended for direct consumption and to all honey packed, processed or intended for sale in bulk containers as honey, that may be repacked for retail sale or for sale or use as an ingredient in other foods.

(2) "Honey" means the natural food product resulting from the harvest of nectar by honeybees and the natural activities of the honeybees in processing nectar. It consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The color of honey can vary from nearly colorless to dark brown. The consistency can be fluid, viscous or partially to completely crystallized. The flavor and aroma vary, but are derived from the plant's origin.

(3) Honey sold as such shall not have added to it any food additives, as defined in section 500.03(1)(m) F.S., nor shall any other additions be made other than honey. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter. Chemical or biochemical treatments shall not be used to influence honey crystallization.

(a) Moisture Content - No water may be added to honey in the course of extraction or packing for sale or resale as honey. Honey shall not have a moisture content exceeding 23%.

(b) Sugars Content

1. The ratio of fructose to glucose shall be greater than 0.9.
2. Fructose and Glucose (Sum of Both) shall not be less than 60g/100g.

(c) Sucrose Content

1. Honey not listed below shall not be more than 5g/100g.
2. Alfalfa (*Medicago sativa*), Citrus spp., False Acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies Banksia (*Banksia menziesii*), Red Gum (*Eucalyptus camaldulensis*), Leatherwood (*Eucryphia lucida*), *Eucryphia milligani* – not more than 10g/100g.
3. Lavender (*Lavandula spp*) and Borage (*Borago officinalis*) – not more than 15g/100g.

(4) Name of the Food

(a) Products conforming to the standard of identity as adopted in this rule shall

be designated 'honey'. Foods containing honey and any flavoring, spice or other added ingredient or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, color, viscosity or other material characteristics of pure honey, then such foods shall be distinguished in the food name from honey by declaration of the food additive or modification.

(b) Honey may be designated according to floral or plant source if it comes predominately from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

(c) Where honey has been designated according to floral or plant source [as stated in 4(b)], then the common name or the botanical name of the floral source shall be used in conjunction with or joined with the word "honey".

(d) The styles of honey identified in subparagraphs (4)(e)2 and 3 shall be declared on packaging labeling as "Honey", "Comb Honey", "Cut Comb in Honey", "Honey with Comb" or "Chunk Honey" as appropriate.

(e) Honey may be designated according to the following styles:

1. "Honey" which is honey in liquid or crystalline state or a mixture of the two;
2. "Comb Honey" which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;
3. "Cut Comb in Honey", "Honey with Comb" or "Chunk Honey" which is honey containing one or more pieces of comb honey.

Specific Authority: 500.09, 570.07(23), 586.10 FS; Law Implemented: 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50, 586.02, 586.10, FS; History – New – 07-14-09.

5K-4.028 Adulteration and Misbranding – Honey.

The following shall be *prima facie* evidence of adulteration under s. 500.10(2)(d) and s. 586.10, F.S. or misbranding under s. 500.11(1)(g) and s. 586.10, F.S. of any product sold or offered for sale as honey:

- (1) The product has a maltose content in excess of 10%; or
- (2) The product contains oligosaccharides indicative of invert syrup; or
- (3) The absolute value of Carbon Stable Isotope Ratio Analysis (CSIRA) is not more negative than -20.0 for the product; or
- (4) CSIRA Internal Standard Procedure with a protein value minus honey value is more negative than -1.0 for the product; or
- (5) The product fails to conform to the standard of identity stated in 5K-4.027, F.A.C.

Specific Authority: 500.09, 570.07(23), 586.10 FS; Law Implemented: 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50, 586.02, 586.10, FS; History – New – 07-14-09.

Honey Filtering, Class-Action Lawsuits and Adopting Honey Standards of Identity



Locally Produced
Honey

by NANCY GENTRY



Retail Store
Honey

Within the last five months, several corporations retailing honey in California and Florida have been served with class-action lawsuits in federal courts. In these suits, the Plaintiffs allege that honey sold by Target Inc, CVS Pharmacies, Sioux Corporation in California, and Target, Walgreens, Sioux Corp, Aldis Inc. in Florida violated the state's honey standards. Other retailers are also being sued in state courts.

While each Plaintiff's complaint varies in scope, all target one clause in the California honey standard (California Food and Agriculture Code § 29413(a)(e) and the Florida honey standards (5K-4.027/28) which states, "...no pollen or constituent particular to honey may be removed except where this is unavoidable in the removal of foreign inorganic or organic matter." Samples from jars of honey purchased at these retail outlets were found to be absent of all pollen, hence, the natural pollen had been unnecessarily removed, and the product was no longer salable in those states as "honey".

Some of the impetus for these lawsuits may have originated with a November 07, 2012 article which appeared on *Food Safety News.com*, titled "Tests Show Most Store Honey Isn't Honey" written by Andrew Schneider, former senior correspondent for the *Washington-Post Intelligencer* who in December 2009 wrote a series of articles on honey laundering and adulteration.

For the 2012 article, *Food Safety News* purchased more than 60 jars, jugs and plastic bears of honey in 10 states and the District of Columbia and had the honey tested for the presence of pollen by Prof. Vaughn Bryant, director of Palynology Research Laboratory at Texas A&M University and an authority on pollen analysis. Bryant's tests revealed the overwhelming number of samples contained no pollen.

Coupled with a comment in the article by Tamara Ward, FDA agency press officer that "the Food and Drug Administration says that any product that's been ultra filtered and no longer contains pollen isn't honey", and you have a pretty strong jumping off point for

lawsuits that have the honey packing industry very worried.

The Honey Standard Story

The Florida and California honey standards were adopted in 2009, yet the honey standard story begins back in 2000 when the Chinese were dumping millions of pounds of honey on the U.S. market at prices so low that U.S. honey producers could not compete. In 2001 Congress imposed a 215% tariff on all honey coming in from China in an attempt to save the U.S. honey industry from ruin. The importation of Chinese honey decreased rapidly, U.S. honey prices soared, and honey producers were dancing in the streets.

Yet some members of the beekeeping industry were not so euphoric. They believed the high prices caused by low supply could cause the market to soon be flooded with adulterated honey or circumvented honey (Chinese honey brought into the U.S. through another country), and since no compositional standard had ever been established, the impact of product adulteration on the U.S. honey industry would be disastrous.

Their worst fears were affirmed. Today U.S. honey producers are no better off, maybe even worse. Millions of pounds of illegal Chinese honey are coming across U.S. borders in essentially three ways; first, the

honey originates in China, but is circumvented through another country to change the country of origin label. One recent example is Malaysia, a country which by best accounts has 25 beekeepers with the capacity to export around 45,000 lbs annually, yet in 2010 honey entering the U.S. from Malaysia reached 37 million pounds.

Second, the Chinese honey enters the U.S. labeled "packers blend", a euphemism for a product that looks like honey, a product consumers would believe is honey, but is not honey and therefore not subject to the 215% tariff. Lastly, the Chinese honey merely crosses the border labeled as another product, the most recent incident, last year, being 123 containers of Chinese honey entering the U.S. labeled "rice fructose syrup."

My part in the honey standard story begins in August 2007 when I first learned that in 2006 the major industry groups; the American Beekeeping Federation, the American Honey Producers Association, the National Honey Packers & Dealers Association, Western Packers & Dealers Association and Sioux Corporation had petitioned the FDA to adopt a national standard of identity for honey, the standard being a modified version of an already-existing international standard, titled "1987/2001 Revised Codex Standard of Identity for Honey". Unfortunately, the FDA denied the request a few months later "stating other agency priorities and lack of resources." The news was devastating to the beekeeping world...

I merely proposed an alternative plan to the industry. Instead of continuing to fight the FDA, we would get that same standard adopted state-by-state, which in the long run would give honey producers a better chance at seeing realistic enforcement. States have immense power to adopt standards far more restrictive than the federal government when deemed in the best interest of their citizenry, so I began with my state, Florida...

In July 2009, Florida adopted the first honey standard in the nation, and California followed in October. Since that time Utah (the Beehive State), Wisconsin and Nebraska also have standards. The American

Beekkeeping Federation and the American Honey Producers Association have endorsed the state adoption of honey standards, but it is beekeepers who believe they can no longer sit on the sidelines waiting for someone else to take action against funny honey that has made the campaign a success. At present, another 27 states are actively working to adopt a honey standard.

What Is a Honey Standard?

Aside from Mickey Mouse, Florida is also famous for oranges, but not just any orange can be shipped out of my state. Florida Statute 601 which governs citrus has 119 subsections of a citrus standard, eight of which alone determine when a grapefruit, an orange and a tangerine is deemed "ripe". For instance, "oranges shall be deemed to be mature, "ripe" only when each orange shows a break in color, with yellow color predominating on not less than 50 percent of the fruit's surface." Bottom line: if the orange does not

have the right color for ripeness, then for all practical purposes, it isn't an orange. You can call it garbage because it's worthless to the grower.

The same is true of honey. We can compare a sample from a squeeze bear of honey to an established standard of identity to determine if the content is honey. For instance, the sample is honey only if the fructose and glucose content (combined) is not less than 60g/100g; the sample is honey only if the sucrose content is not more than 5g/100g. The honey standard contains many other clauses, but if the sample does not meet the entire standard, then the product is not honey.

While most of the honey standard relies on relative sugar contents to determine honey, several other clauses address fermentation, moisture content, additives and a clause which identifies the extent to which pollen can be removed from the honey. This clause, which I mentioned in a previous paragraph, is one allegation in most, if not all of the class-action lawsuits.

Pollen Removal and Filtration

Most pollen stays down in the brood chamber where the bees consume it for protein and feed it to the larvae. Although pollen is not part of the chemical composition of honey, some pollen does end up in the honey supers where it finds its way into honey during extraction.

The pollen clause, 3.1 in U.S. Codex (a common name for the standard the industry groups asked the FDA to adopt) states, "... No pollen or constituent particular to honey may be removed except where this is unavoidable in the removal of foreign inorganic or organic matter."

Filtration is a dirty word to beekeepers selling raw or strained honey, yet from the time when beekeepers could first remove frames from their hives and spin out the honey from the combs till today, we have been filtering our honey and always for the same reason; we like offering a highly attractive product to our customers who often believe the brighter the honey, the better the quality.

The difference however, between a hobbyist beekeeper with several pounds to sell and the big packers who pack millions of pounds is the degree of filtration. Some beekeepers may still be using just a couple of kitchen strainers or large micron size strainers (200-600 micron) available through most beekeeping supply houses to remove bits of wax, occasional bee wings and other large particulate matter that remains after extraction. Some beekeepers will step up the filtration to 100-150 microns which does a better job of removing comb refuse, but still retains most pollen.

Large U.S. packers typically use a combination of diatomaceous earth (DEM) and a "paper" membrane separation system when filtering the honey. First diatomaceous earth is added to heated honey. DEM is nothing more than a naturally occurring material which has excellent absorption factors. As the DEM settles to the bottom of the tank, it absorbs particulate matter ranging in size from 1/2 to 22 microns. Examples of the particle size removed are wax, pollen, bee parts, wood chips and some bacteria (<http://www.honey.com/images/downloads/filtration.pdf>).

Next, the DEM is filtered out, the honey then quickly cooled and bottled. This method of filtration is acceptable for complying with the United States Grades of Extracted Honey, a grading standard primarily based on appearance and edibility for two categories of extracted honey, filtered and strained. For a packer, the only way to achieve USDA Grade A Honey is to remove all the pollen.

As Bruce Boynton, CEO of the National Honey Board stated in a press release to *Food Safety News*, April 23, 2012, "The majority of honey sold at retail in the U.S.

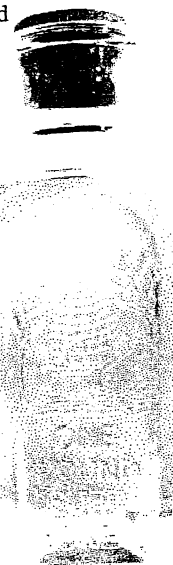
every year, and preferred by most consumers, is the clear, golden liquid honey that has been strained or filtered to remove undesirable particles that make honey cloudy. All honey crystallizes eventually; suspended particles (including pollen) and fine air bubbles in honey contribute to faster crystallization. Filtering pollen and other particles out helps delay crystallization, allowing the honey to remain liquid for a much longer period than honey that has not been filtered."

Boynton went on to say that unfortunately several recent news articles stated that U.S. honey packers "ultrafiltered" their honey. "Ultrafiltration is a more complex process that results in a sweetener product. The FDA has said this product should not be labeled as honey, and the National Honey Board supports this position. Some have confused filtration and ultrafiltration, incorrectly applying FDA's position on ultrafiltered honey to any honey without pollen."

For the defendants in these class-action lawsuits, the pollen clause has become the battle ground for a war of semantics. The packers argue that "yes", we remove all the pollen, but it is "unavoidable" given the filtration system that has been the industry standard for well over fifty years. Without removing the pollen and other fine particulate matter, the honey would also fail to meet USDA grading standards which are vital to the industry and should supersede the standard of identity for honey.

Supporters of the honey standard argue that "unavoidable" clearly implies packers should filter honey in a way not to remove all pollen. They believe removing all pollen without the honey being labeled filtered deceives a locavore-conscious public wanting straight-from-the-hive honey. Second, if the honey standard is intended to promote honesty and fair dealing in the interest of consumers, and reverse the tide of adulterated honey being purchased from questionable sources and ending up on U.S. store shelves, then packers should welcome the opportunity to authenticate the honey's country of origin through pollen analysis.

Dr. Vaughn Bryant, who tested the honey samples for pollen in the November 2012 *Food Safety News* article, recently reaffirmed his position that once all pollen is removed, neither the nectar source nor the country of origin can be identified. "Yes, he stated," the USDA does encourage honey to be highly filtered, so it will appear crystal clear of any impurities, but that is the problem. Once any honey is highly filtered, we can no longer determine where it comes from....whether from domestic sources or from foreign or illegal sources."



The Future for State Honey Standards

Last year, the honey industry groups again applied to the FDA for adoption of the national standard of identity for honey, and on October 5th, the FDA again rejected the petition stating "the establishment of a standard of identity would not aid the agency in its enforcement efforts or help insure industry compliance."

Tim Tucker, vice-president of the American Beekeeping Federation, noted that while the standard would not provide the FDA with any greater enforcement authority, the adoption of the standard would meet three goals: 1) informing consumers who are confused about what "honey" means in terms of the food's composition; 2) combating economic adulteration by aiding enforcement and industry compliance; and 3) promoting honesty and fair dealing within

the food trade in general, where pure honey is highly valued as an ingredient in other foods. Tucker concluded, "While we in the industry tend to disagree, it will be a difficult hurdle to get the FDA to reconsider any time in the near future, so it will be necessary to continue efforts at the state level for individual standard of identity establishment."

In light of the current lawsuits, should states discontinue their campaign for a state honey standard? Absolutely not. As I have traveled the U.S. assisting state associations in their campaign, the toughest question I'm always asked is, "Why spend all this time and effort getting a state honey standard when our state is so broke there is no way to enforce it?"

My answer has always remained the same. Stay on course and focus first on getting the standard passed. How you use the standard to your advantage in the interna-

tional marketplace, in the civil courts, in educating consumers comes once the standard is adopted. No standard, no action. Getting a state standard takes work, but it's not rocket science. The U.S. Codex standard is scientifically sound and legally responsible, so each state can simply adopt the same standard... no need to reinvent the wheel, and every state that is successful in its honey standard campaign will be exerting more pressure on the FDA to yield, which eventually, given possible interruptions in interstate commerce, they will have no choice. In 2004, the FDA granted the chocolate industry a standard of identity for white chocolate. Isn't our honey industry just as important as a chocolate bar?

For information on how to initiate a campaign in your state, contact Nancy Gentry at farabeees@gmail.com.



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All Queens are mated naturally Queens marked \$2.50 each. Queens clipped \$2.50 each. Plus shipping cost and handling fee by Priority Mail or Express through U.S. Postal Service.

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Great Service! Quality bees and queens every time! Thank You for Your Business.



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Download our FREE Honey Guide to learn why not to measure honey with a Brix refractometer.

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Toll Free 800-358-1100

R68-21-1. Purpose.

The purpose of this rule is to establish a standard of identity for honey that is produced, packed, repacked, distributed and sold in Utah. Codification of this standard is meant to reduce economic fraud by controlling the pervasive, illegal practice of blending or diluting pure honey with low-cost syrups such as sugar, cane and corn.

R68-21-2. Authority.

This rule is promulgated under the authority of Titles 4-2-2-1(g), 4-5-8-1, 4-5-16 and 4-5-17-1 of the UCU.

R68-21-3. Definitions

(1) "Honey" means the natural sweet substance produced by honeybees from nectar of plants or from secretions of living parts of plants which the bees collect, transform by combining with specific substances of their own, then deposit, dehydrate, store, and leave in the honeycomb to ripen and mature.

(2) "Blossom Honey" or "Nectar Honey" means honey that comes from the nectar of plants.

R68-21-4. Standard of identification for honey.

(1) Honey shall meet the following standards:

(a) honey may not be heated or processed to such an extent that its essential composition is changed or its quality is impaired;

(b) chemical or biochemical treatments may not be used to influence honey crystallizations;

(c) honey may not contain more than 20 percent moisture content and for heather honey not more than 23 percent;

(d) honey may be not less than 60 percent fructose and glucose, combined; the ratio of fructose to glucose shall not be greater than 0.9;

(e) honey may not contain oligosaccharides indicative of invert syrup;

(f) honey shall have an absolute value more negative than minus 20 as determined by the Carbon Stable Isotope Ratio Analysis (CSIRA);

(g) honey may not have a protein more negative than minus one as determined by the CSIRA Internal Standard; and

(h) honey, except for honeycomb and cut comb style honey, may not contain more than 0.5g/1000g water insoluble solids.

R68-21-5. Standard of identification for blossom honey.

(1) Blossom honey shall meet the standards for honey in R68-21-4;

(2) Blossom Honey shall contain more than 5 percent sucrose, except for the following:

(a) alfalfa (*Medicago sativa*), citrus spp, false acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies banksias (*Banksia menziesii*), red gum (*Eucalyptus camaldulensis*), leatherwood (*Eucalyptus lucida*), and *Eucryphia milligani* may contain up to 10 percent sucrose.

(b) lavender (*Lavandula* spp) and borage (*Borago officinalis*) may contain up to 15 percent sucrose.

R68-21-6. Food labeled as honey.

1. Food meeting the standards set forth in R68-21-4 and R68-21-5 shall be designated "honey".

2. Food containing honey plus flavoring, spice or food additive shall be distinguished in the food name from honey by declaration of all of the added ingredients.

3. Food containing honey which is processed in such a way that materially changes the flavor, color, viscosity or other material characteristics of the honey shall be distinguished in the food name from honey by declaration of the modification.

4. Food containing honey may be designated according to floral or plant source if the honey comes predominately from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

(a) Food designated according to the honey's floral source plant shall have the common name or the botanical name of the floral source in close proximity on the label to the word "honey".

5. Honey may be designated according to the following styles:

(a) honey in liquid or crystalline state or a mixture of the two may be designated as "liquid" or "crystalline";

b. honey stored by bees in the cells of freshly built broodless combs and sold in sealed whole combs or sections of such combs may be designated as "comb" or "comb honey"; or

c. honey containing one or more pieces of comb honey may be designated as "honey with comb" or "chunk honey".

R68-21-7. Misbranded food.

Food labeled as a honey product, but not meeting the standard of identification or a labeling requirement in Sections four through six of this rule shall be deemed to be misbranded.

R68-21-8. False food advertisement.

Food advertised as a honey product shall be considered false if it does not meet the product's standard of identification or a labeling requirement in Sections four through six of this rule.

R68-21-9. Embargo and destruction of misbranded food.

When an authorized agent of the department finds or has cause to believe a honey product is misbranded, the agent shall follow the tagging, embargo and destruction procedures found in Title 4-5-5 UCA.

Definitions:

- a. Moisture Content means the relative amount of water present in Honey.
- b. Primary sugars present in Honey:
 - a. Fructose - A monosaccharide ketose sugar, formula $C_6H_{12}O_6$.
 - b. Glucose - A simple monosaccharide sugar with a molecular formula of $C_6H_{12}O_6$.
 - c. Sucrose - A disaccharide with formula $C_{12}H_{22}O_{11}$, consisting of two simple sugars, glucose and fructose.
 - d. Maltose - A disaccharide, $C_{12}H_{22}O_{11}$ formed from the digestion of starch by amylase.
- c. Honey Styles:
 - a. Liquid or extracted Honey - Free of visible crystals, liquid honey is extracted from the honey comb by centrifugal force, gravity or straining.
 - b. Raw Honey - honey that has been removed from the hive without use of heat and has only been strained.
 - c. Filtered Honey - Filtered honey is processed by filtration to remove air bubbles, extraneous solids and larger pollen grains.
 - d. Strained Honey - Strained honey has been passed through a mesh material to remove particulate matter normally found in unprocessed honey. The mesh, however, does not remove any pollen that may be in the honey.
 - e. Honeycomb/Cut Comb Honey - honey that has been left in the natural wax comb of the bees. This style of honey can be in rounds, squares or cut into pieces for consumption.
 - f. Chunk Honey - liquid honey that has had a piece of honeycomb/cut comb added to the container.
 - g. Creamed, Cremed or Whipped Honey - Whipped honey is liquid honey processed by controlled crystallization to yield a product with a smooth, spreadable consistency.
 - h. Organic Honey - Organic honey is honey that is produced, processed and packaged in accordance with USDA regulations on organic products and certified by a USDA certified agency or organization.
 - i. Kosher Honey - Kosher honey is honey that is produced, processed and packaged in accordance with Jewish dietary regulations and certified by a Kosher organization.
 - j. Color Designations -

Color Name	Pfund Scale (mm)	Optical Density¹
Water White	< 8	0.0945
Extra White	9-17	0.189
White	18-34	0.378
Extra Light Amber	35-50	0.595
Light Amber	51-85	1.389
Amber	86-114	3.008
Dark Amber	> 114	—

- d. Organoleptic refers to any sensory properties of a product, involving taste, color, odor and feel.

NEBRASKA ADMINISTRATIVE CODE

TITLE 19, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 3

NEBRASKA DEPARTMENT OF AGRICULTURE

THE NEBRASKA HONEY STANDARDS REGULATIONS

September, 2011

NEBRASKA ADMINISTRATIVE CODE

TITLE 19 - DEPARTMENT OF AGRICULTURE, ADMINISTRATIVE DIVISION

Chapter 3 - THE NEBRASKA HONEY STANDARDS REGULATIONS

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NEBRASKA ADMINISTRATIVE CODE

TITLE 19 - DEPARTMENT OF AGRICULTURE, ADMINISTRATIVE DIVISION

Chapter 3 - THE NEBRASKA HONEY STANDARDS REGULATIONS

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NEBRASKA ADMINISTRATIVE CODE

TITLE 19 - DEPARTMENT OF AGRICULTURE, ADMINISTRATIVE DIVISION

Chapter 3 - THE NEBRASKA HONEY STANDARDS REGULATIONS

001 Scope. This Standard applies to all honeys produced by honey bees and covers all styles of honey presentations which are processed and ultimately intended for direct consumption and to all honeys packed, processed or intended for sale in bulk containers as honey, which may be repacked for retail sale, or for sale or use as an ingredient in other foods.

002 Definitions.

002.01 Honey is the natural sweet substance produced by honey bees from the nectar of plants or from secretions of living parts of plants or excretions of plant sucking insects on the living parts of plants, which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in the honey comb to ripen and mature.

002.01A Blossom Honey or Nectar Honey is the honey which comes from nectars of plants.

002.01B Honeydew Honey is the honey which comes mainly from excretions of plant sucking insects (*Hemiptera*) on the living parts of plants or secretions of living parts of plants.

003 Description. Honey consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The color of honey varies from nearly colorless to dark brown. The consistency can be fluid, viscous or partly to entirely crystallized. The flavor and aroma vary, but are derived from the plant origin.

004 Essential Composition and Quality Factors.

004.01 Honey sold as such shall not have added to it any food ingredient, including food additives, nor shall any other additions be made other than honey. Honey shall not have any objectionable matter, flavor, aroma, or taint absorbed from foreign matter during its processing and storage. The honey shall not have begun to ferment or effervesce. No pollen or constituent particular to honey may be removed except where this is unavoidable in the removal of foreign inorganic or organic matter.

004.02 Honey shall not be heated or processed to such an extent that its essential composition is changed and/or its quality is impaired.

004.03 Chemical or biochemical treatments shall not be used to influence honey crystallization.

004.04 Moisture Content. No water may be added to honey in the course of extraction or packing for sale or resale as honey. Honey shall not have a moisture content exceeding 23%.

004.05 Sugars Content.

004.05A Fructose And Glucose Content (Sum Of Both).

004.05A(1) Honey not listed below - not less than 60 g/100g.

004.05A(2) Honeydew honey, blends of honeydew honey with blossom honey - not less than 45 g/100g.

004.05B Sucrose Content.

004.05B(1) Honey not listed below - not more than 5 g/100g.

004.05B(2) Alfalfa (*Medicago sativa*), Citrus spp., False Acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzie Banksia (*Banksia menziesii*), Red Gum (*Eucalyptus camaldulensis*), Leatherwood (*Eucryphia lucida*), Eucryphia milligani - not more than 10 g/100g.

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004.05B(3) Lavender (*Lavandula spp*), Borage (*Borago officinalis*)
- not more than 15 g/100g.

004.06 Water Insoluble Solids Content.

004.06A Honeys other than pressed honey - not more than 0.1 g/100g.

004.06B Pressed honey - not more than 0.5 g/100g.

005 Annotation. Neb. Rev. Stat. §81-2,181 (LB 114 of 2011).

Proposed Draft
October 24, 2011

BOLD TEXT has been added.

[BRACKETED AND ITALICIZED TEXT] text will be deleted.

*[Extracted]*Honey

603-051-0365

Definitions

As used in OAR 603-051-03[75]**66** through 603-051-0395, **unless otherwise required by the context, the following terms will be construed, respectively, to mean:**

- (1) "Air bubble" means the small visible pockets of air in suspension that may be numerous in the honey and contribute to the lack of clarity in filtered style.**
- (2) "Bees" means honey-producing insects of the genus *Apis* and includes the adults, eggs, larvae, pupae or other immature stages thereof.**
- (3) "Comb" means the wax like cellular structure that bees use for retaining their brood or as storage for pollen and honey.**
- (4) "Crystallize" means the spontaneous solidification of the natural glucose content from solution as the monohydrate.**
- (5) "Floral source" means the flower from which the bees gather nectar to make honey.**
- (6) "Food" has the definition provided in ORS 616.205(8).**
- (7) "Food additive" has the definition provided in ORS 616.205(9).**
- (8) "Granulate" means the initial formation of crystals in honey.**
- (9) "Honey" means the natural sweet substance produced by bees resulting from the harvest of plant nectar or plant secretions that has been collected and transformed by the deposition, dehydration, and storage in comb to ripen and mature.**
- (10) "Pollen grain" means the granular, dust-like microspores that bees gather from flowers. Pollen grains in suspension contribute to the lack of clarity in filtered style.**

[(1) "Clean" means that the honey shall be at least as free from foreign material, such as wax, propolis, bees, parts of bees, or dirt, as honey that has been strained through standard bolting cloth of 86 meshes per inch at a temperature of not more than 130° F.

(2) *"Fairly Clean" means that the honey shall be at least as free from foreign material as honey that has been strained through standard bolting cloth of 23 meshes per inch at a temperature of not more than 130° F.*

(3) *"Damage" means any injury or defect that materially affects the appearance, edibility, or shipping quality of the honey.*

(4) *"Serious Damage" means any injury or defect that seriously affects the edibility or shipping quality of the honey.*

(5) *"Turbidity" means cloudiness caused by pollen grains, minute air bubbles, finely divided wax particles, or other substances that detract from the clearness of the honey.*

(6) *"Objectionable Flavor or Odor" means any flavor or odor from a floral source, taint of smoke, or other source, that materially affects the edibility of the honey. Nectar gathered from plants such as bitterweet often imparts to the honey a very disagreeable flavor which materially injures its quality.]*

Stat. Auth.: ORS 561.190[&], ORS 632.900 – ORS 632.980 & **ORS 616.XXX (HB 2947 enrolled)** Stats. Implemented: ORS 632.900 – ORS 632.980 & **ORS 616.XXX (HB 2947 enrolled)** Hist.: AD 152, f. 11-12-43, ef. 1-29-44; **AD 2011, f. 12-22-11, ef. 1-1-12**

603-051-0366

Standard of identity for honey

Honey will meet the following standards:

(1) Honey may not be heated or processed to such an extent that its essential composition is changed or its quality is impaired.

(2) Chemical or biochemical treatments may not be used to influence honey crystallizations.

(3) Honey may not contain more than 21 percent moisture content.

(a) Water may not be added to honey in the course of extraction or packing for sale or resale as honey.

(b) Heather honey may contain up to 23 percent moisture content.

(4) Honey may not be less than 60g/100g fructose and glucose, combined; the ratio of fructose to glucose will be greater than 0.9.

(5) Honey will not exceed five (5) percent sucrose except for honey from the nectar of the plants:

(a) alfalfa (*Medicago sativa*); citrus spp; false acacia (*Robinia pseudoacacia*); french honeysuckle (*Hedysarum*); menzies banksias

(*Banksia menziesii*); red gum (*Eucalyptus camaldulensis*); leatherwood (*Eucalyptus lucida*); and *eucryphia milligani* which may contain up to 10 percent sucrose; or

(b) lavender (*Lavandula* spp) and borage (*Borago officinalis*) which may contain up to 15 percent sucrose.

(6) Honey may not contain food additives.

(7) Extracted honey may not contain more than .05g/1000g water insoluble solids.

Stat. Auth.: ORS 561.190, ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Stats. Implemented: ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled)

Hist.: AD 2011, f. 12-22-11, ef. 1/1/12

603-051-0370

Types and styles of [H]honey

(1) “Extracted honey” is honey that has been separated from the [*crushed or uncrushed*] comb by centrifugal force, gravity, straining, or other means, and is identified in the following types:

[(1)] (a) “Liquid honey” is honey free from visible crystals;

[(2)] (b) “Crystallized honey” is honey that is solidly granulated or crystallized, irrespective of whether candied, fondant, creamed or spread types of crystallized honey;

(c) “Partially crystallized honey” is honey that is a mixture of liquid honey and crystallized honey.

(2) Extracted honey styles are:

(a) “Filtered” honey is honey of any type defined in these standards having been filtered to the extent that all or most of the fine particles, pollen grains, air bubbles, or other materials normally found in suspension, have been removed; and

(b) “Strained” honey is honey of any type defined in these standards having been strained to the extent that most of the particles, including comb, propolis, or other defects normally found in honey, have been removed. Pollen grains, small air bubbles, and very fine particles would not normally be removed.

(3) “Comb honey” is the type of honey stored by bees in the cells of freshly built broodless combs and is sold in sealed whole combs or sections of such combs.

(4) “Chunk honey” is the type of honey whereby comb honey is surrounded by extracted honey.

Stat. Auth.: ORS 561.190 [&], ORS 632.900 – ORS 632.980 & **ORS 616.XXX (HB 2947 enrolled)** Stats. Implemented: ORS 632.900 – ORS 632.980 & **ORS 616.XXX (HB 2947 enrolled)** Hist.: AD 152, f. 11-12-43, ef. 1-29-44; AD 2011 f. 1-22-11, ef. 1-1-12

603-051-0375
Grades[.]

The United States Standards for Grades of Extracted Honey adopted by the Agriculture Marketing Service, United States Department of Agriculture effective May 23, 1985 are hereby adopted as the standards for the State of Oregon for extracted honey grades. A copy of such federal standards is filed herewith and by this reference made a part hereof.

[(1) U.S. Grade A or U.S. Fancy extracted honey may be honey of any color; shall be clean; and shall be free from damage caused by turbidity, overheating, fermentation, honeydew, objectionable flavor or odor, or other means:

(a) The honey shall be well-ripened and shall weigh not less than 11 pounds 12 ounces per gallon of 231 cubic inches at 20° C. (or 68° F.). Expressed in other equivalents, extracted honey shall conform to the following:

(A) Brix Reading -- Not less than 79.8 at 20° C.;

(B) Baume reading -- Not less than 42.49 at 60° F.;

(C) Refractive index -- Not less than 1.4900 at 20° C.;

(D) Specific gravity -- Not less than 1.4129 at 20° C.

(b) Honey of the crystallized type of this grade shall be uniformly granulated, smooth and fine in texture, and when liquefied at 130° F. shall meet all other requirements of U.S. Grade A or U.S. Fancy.

(2)(a) U.S. Grade B extracted honey may be honey of any color; shall be fairly clean; and shall be free from damage caused by turbidity, overheating, fermentation, honeydew, objectionable flavor or odor, or other means. The honey shall be well-ripened and shall weigh not less than 11 pounds 12 ounces per gallon of 231 cubic inches at 68° F. Expressed in other equivalents, extracted honey shall conform to the following:

(A) Brix reading -- Not less than 79.8 at 20° C.;

(B) Baume reading -- Not less than 42.49 at 60° F.;

(C) Refractive index -- Not less than 1.4900 at 20° C.;

(D) Specific gravity -- Not less than 1.4129 at 20° C.

(b) Honey of the crystallized type of this grade shall be uniformly granulated, fairly smooth, and medium to fine in texture, and when liquefied at 130° F. shall meet all other requirements of U.S. Grade B.

(3) Off-Grade extracted honey is honey that fails to meet the requirements of U.S. Grade B.]

Stat. Auth.: ORS 531.190 [&], ORS 632.900 – ORS 632.980 & **ORS 616.XXX (HB 2947 enrolled)** Stats. Implemented: ORS 632.900 – ORS 632.980 & **ORS 616.XXX (HB 2947 enrolled)** Hist.: AD 152, f. 11-12-43, ef. 1-29-44; **AD 2011, f. 1-22-11, ef. 1-1-12**

603-051-0380

[Determination of Density

The density shall be determined by Brix or Baume hydrometer spindles, or by refractometer, read at the proper temperature for the instrument used, or by weighing in a standard measure.

Stat. Auth.: ORS 561.190 & ORS 632.900 – ORS 632.980 Stats. Implemented: ORS 632.900 – ORS 632.980 Hist.: AD 152, f. 11-12-43, ef. 1-29-44]

603-051-0385

[Tolerance: Application of Tolerance

(1) Tolerance. In order to allow for variations incident to proper grading and handling, not more than five percent, by count, of the containers in any lot grades as U.S. Grade A, or U.S. Fancy, or U.S. Grade B, may have honey below the requirements for the grade, but not part of this tolerance shall be allowed for defects causing serious damage.

(2) Application of Tolerances. The tolerances specified for the various grades and for color are placed on a container basis. However, any lot of honey shall be considered as meeting the requirement of a specified grade and color if no sample from the containers in any lot is found to exceed the tolerances specified by more than double the amount allowed, provided the entire lot shall average within the tolerances specified.

Stat. Auth.: ORS 561.190 & ORS 632.900 – ORS 632.980 Stats. Implemented: ORS 632.900 – ORS 632.980 Hist.: AD 152, f. 11-12-43, ef. 1-29-44]

603-051-0390

Color[.]

The United States Standards for Grades of Extracted Honey adopted by the United States Department of Agriculture effective May 23, 1985 are hereby adopted as the standards for the State of Oregon for extracted honey color. A copy of such federal standards is filed herewith and by this reference made a part hereof.

[(1) Extracted honey shall be classified as follows: A closer description may be given by quoting the millimeter-scale reading in addition to the color: Pfund scale readings (in millimeters):

- (a) Water-white – From 1 to 8;*
- (b) Extra-white – From 8 to 16.5;*
- (c) White – From 16.5 to 34;*
- (d) Extra light amber – From 34 to 50;*
- (e) Light amber – From 50 to 85;*
- (f) Amber – From 85 to 114;*
- (g) Dark – Readings of 114 and over.*

(2) In order to allow for variations incident to proper grading and handling, not more than five percent, by count, of the containers in any lot may have honey that differs from the color specified, provided that no tolerance is permitted for honey that shows a millimeter scale reading below the next color class.]

Stat. Auth.: ORS 561.190 [&], ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB enrolled) Stats. Implemented: ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB enrolled) Hist.: AD 152, f. 11-12-43, ef. 1-29-44; AD 2011, f. 12-22-11, ef. 1-1-12

603-051-0395

[Marking] Labeling requirements

(1) The name of the food meeting the standard of identity in OAR 603-051-0366 is “honey”.

(2) Honey in a liquid or crystalline state or a mixture of the two will be labeled as “honey”.

(3) Comb honey will be labeled as “comb honey” or “cut comb honey”.

(4) Chunk honey may be labeled as “cut comb in honey”, “honey with comb” or “chunk honey”.

(5) Food containing honey and any flavoring, spice or other ingredient or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, color, viscosity or other material characteristic of honey, then such foods will be distinguished in the food name from honey by declaration of the food additive modification.

(6) Honey may be designated according to floral source if the honey comes predominantly from that particular source and has the organoleptic, physiochemical and microscopic properties corresponding with that origin.

(a) Honey designated according to the honey’s floral source in section (6) will have the common name or the botanical name of the floral source in close proximity or conjoined to the word “honey”.

(7) All labels, containers and food associated with the containers will meet the requirements of ORS 616.205 to 616.385.

[(1) Each container shall be marked in a legible manner with the grade, net weight, and the name and address of the producer, shipper, or packer as the case may be. If the container is opaque the color of the honey shall also be marked on said container. The foregoing grades for extracted honey shall become effective February 15, 1944.

(2) It is ordered that all orders of the Department previously promulgated, establishing standards for extracted honey, be and are hereby rescinded; and it is further ordered that the use of labels authorized by such previous orders be and is hereby prohibited effective June 1, 1944.]

Stat. Auth.: ORS 616 Stats. Implemented: ORS 632.900 – ORS 632.980 & ORS 616.XXX (HB 2947 enrolled) Hist.: AD 152 f. 11-12-43, ef. 1-29-44; AD 2011, f. 12-22-11, ef. 1-29-44